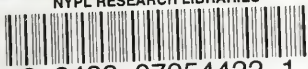


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A
HISTORY OF CHATHAM
Massachusetts

Formerly the Constablewick or Village
of Monomoit

WITH MAPS AND ILLUSTRATIONS
AND NUMEROUS GENEALOGICAL NOTES

By

WILLIAM C. SMITH.

HYANNIS, MASS.
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P R E F A C E .

The task of compiling a satisfactory local history is one requiring no little patience, industry and research, if prosecuted under the most favorable circumstances, but it is rendered doubly difficult when, as in the case of Chatham, the loss of a considerable part of the public records usually consulted by the local historian and the brevity of those which remain, compel him to collect his facts from many scattered and not easily accessible sources. Few, if any, of the towns in the State have been more unfortunate than Chatham in respect to the preservation of historical materials. Not only has it suffered in common with the other towns of Barnstable county, through the destruction by fire on October 22, 1827, of all the county records except those of the Probate Court, but it has also lost all the early parish records by the burning of the Congregationalist parsonage in 1861. The town records still remain intact, but they do not begin till thirty years after the place was settled by the white man, and then the early entries are of the briefest character. The births, marriages and deaths recorded therein before 1750 are comparatively few in number, and consequently there are doubtful points in the genealogy of nearly every Chatham family which no amount of research will ever settle and omissions which no investigator can ever hope to supply.

Out of the material which has been accessible to me, I have made no special attempt to produce a readable book. I have sought only to collect and present the facts without resorting to traditional or mythical anecdotes to sustain the interest of the reader. The frequent references in the foot notes will be found valuable, I hope, to students of local history and to those who may be inclined to doubt the statements in the text.

In order to avoid the circulation of false reports, I will state that my original purpose never contemplated bringing the history down to the present date. To do this merely requires time and patience in compiling from abundant and easily accessible materials.

I wish to express my obligations to Mr. Josiah Paine of Harwich, whose long and careful researches into Cape Cod history have made him the highest living authority upon that subject. I am also indebted to Mr. and Mrs. Osborn Nickerson, Mr. James M. Young, and Miss M. C. Luce for the privilege of consulting valuable family papers, and to Hon. James W. Hawes of New York for encouragement and assistance in the collection of materials. The late Rufus Smith, Esq., also furnished me with valuable facts and papers.

The work is not free from mistakes. If it be found to be a distinct advance over anything yet attempted in the line of Chatham history, it will fulfill all the claims of its author.

January, 1909.

W. C. S.

MEMORANDA
OF CHATHAM.

Indian Name,	Monomoyick, or Monomoit
Named Port Fortuné,	October, 1606
Named Sutcliffe's Inlets,	About 1618
Called by the Pilgrims Monomoit,	1621
Settled by the English,	1664
Annexed to Yarmouth,	June 7, 1665
Annexed to Eastham,	June 3, 1668
Established a Constablewick,	June 3, 1679
Boundaries Enlarged,	February 11, 1691
Part Annexed 1691 included in Harwich,	Sept. 14, 1691
Incorporated a Town,	June 11, 1712
Named Chatham,	June 11, 1712
Strong Island and vicinity Annexed,	February 7, 1797
Boundary Established,	April 14, 1862

CHAPTER I.

THE DAWN OF A NEW ERA.

THE southeasterly portion of the peninsula of Cape Cod was inhabited, long before its authentic history begins, by a small tribe of Indians, ruled by a chief or sachem of their own, living principally upon the fish so abundant in the numerous bays and inlets along their domain and upon Indian corn supplied by their squaws, and engaging occasionally in fierce and bloody quarrels with other tribes more or less remote. In their own language they called the territory, over which they roamed, *Monomoyick* or *Monomoit*,¹ and they were accordingly styled by the English the *Monomoyicks* or the *Monomoyick* tribe.

How long before the advent of the white man they settled in this locality is not known, nor, indeed, is anything of importance known concerning their early habits and life. Not until their relations with the white man begin is the veil of darkness and uncertainty lifted. In the case of *Monomoit*, these relations began at an early

1. This name is spelled in so many different ways in early records and writings that it is difficult to determine its exact form. Governor Bradford, Governor Winslow and other early authorities give the name as *Manamoliak*, *Manamoyack*, *Manamoyake*, *Manamoycke*, *Monomoyick*, *Manamock*, *Manamoyck*, *Mannamoyck*, *Monomoyack*, *Manamoleck*, etc. Later, however, the consensus of opinion seems to have been that the final sound in the word should be nearer the sound of the letter "t" than that of "k," and we find in the Plymouth Colony Records, in many early documents, and in the writings of the clergy, the following forms of the word: *Mannamoite*, *Mannamolett*, *Mannamoyett*, *Manemoyet*, *Mannomoyett*, *Monnamoyett*, *Monamolett*, *Monamolt*, *Manamoit*, *Monomoit*, *Manuamoit*, *Monnamolt*, *Mannomolett*, *Manamolett*, *Manomoytt*, *Manamoyet*, *Monamoyet*, *Mannamoyt*, etc. The forms *Monimol*, *Monamoy*, *Monnamoy*, *Monemoy*, *Manamoy*, *Manimoy*, *Monomoy*, *Mannamoy*, *Manemoy*, *Manamoye*, *Manomoy*, etc. are corruptions of the Indian name, which were used locally and colloquially, although sometimes found in the public records. The forms, *Monnamoy* and *Mouamoy*, appear in the town records.

period, as compared with many other localities along the coast. The situation of the place, on an exposed part of the seaboard in the vicinity of dangerous shoals and currents, tended to draw the attention of the earliest navigators to it, and it has ever continued a dreaded landmark for the sailor.

Whether it was known to the Northmen, who, in their excursions from Iceland in the early part of the Middle Ages, doubtless explored some portion of the New England coast, is difficult to determine. The accounts of their voyages preserved in the ancient Icelandic Sagas, are so vague as to render any satisfactory identification of the places visited by them practically impossible. Prof. Rafn of Copenhagen has, indeed, claimed to identify these places and has asserted, among other things, that the long and sandy strands mentioned in these Sagas, which the voyagers named *Furdustrandir* (Wonder Strands), "for it was long to sail by them," are none other than Nauset and Monomoy beaches, which protect Cape Cod from the ocean, but his conclusions are not now regarded as sufficiently well founded to be accepted as correct.²

In the year 1498 the Cabots, John and Sebastian, Venetian adventurers under commission from the king of England, sailed along the North Atlantic coast from Labrador to Virginia, but as there is left to us no detailed account of their exploit, it is impossible to state what points of the coast they actually visited.³ The first explorer from the East, whose presence in the vicinity of Cape Cod is established with substantial certainty, and who probably scanned the shores of Monomoy from his frail craft, was Giovanni Da Verrazano, a Florentine, who, under French auspices and with a French crew, put to sea in January,

2. Winsor, *Narrative and Critical History of America*, I. 65 et seq.; *Voyages of the Northmen* (Prince Soc. Ed.) 50.

3. Winsor, *Narrative and Critical History of America*, III. Chap. I.

1524, from a place near the island of Madeira, intending to find a westward passage to the Indies. Reaching North America in latitude 34 degrees north, he proceeded up the coast, arriving at a place in latitude 41 degrees 40 minutes, which appears from his description to be Narragansett Bay, where he remained fifteen days. Thence setting out on May 5th, he sailed east and then north one hundred and fifty leagues, always keeping the land in sight, but making no stops, the wind being fair. The coast, he says, ran eastward fifty leagues, then turned to the north, and he saw many hills in the distance. Apparently he sailed around Cape Cod and in sight of its shores, reaching the coast of Maine, from which point he continued northward and then sailed for France.⁴

There were other voyages of exploration to North America during the next seventy-five years,⁵ and ancient maps indicate that before the end of that time the general outline of the coast was understood by Europeans. The fisheries of Newfoundland and adjacent coasts, also, early attracted European mariners to that region, and "before the opening of the seventeenth century more than three hundred English, Portugese, Spanish and French vessels went home annually, laden with the treasures of the sea, from the American coast."⁶ It is not unlikely, therefore, that during this period the shores of Cape Cod were more than once visited, accidentally or intentionally, but it is not until the year 1602 that we find another distinctly chronicled voyager there.

On March 26 of that year Bartholomew Gosnold, an Englishman, sailed from Falmouth, England, with thirty-two

4. Winsor, *Narrative and Critical History of America*, IV. 6 et seq.; N. Y. Historical Society Collections, I. 45.

5. In 1583 Stephen Bellinger of Rouen sailed to Cape Breton and thence coasted southwesterly six hundred miles, which would have taken him near Cape Cod. He "had traffique with the people in tenne or twelve places." Hakluyt says, using the term in the sense of exploring, that he "discovered very diligently C C leagues towards Norumbega," the latter term being used in a rough way. He, doubtless, saw Cape Cod. N. E. Historical and Genealogical Register, XXXV. 62.

6. Davis, *Ancient Landmarks of Plymouth*, 33.

men in a small bark, called the "Concord," bound for the region then vaguely known as North Virginia. After touching at several places on the coast of Maine, he arrived on May 15 off the northern extremity of a cape, which he named Cape Cod on account of the abundance of codfish taken by him there. He landed and made a short excursion into the interior, seeing one of the natives. On the following day coasting southerly, he discovered a point with breakers in the distance, lying twelve leagues south of the place first sighted on the preceding day.⁷ Attempting to double the point, he suddenly found himself in shoal water, but got away without harm. The shoals he called Tucker's Terror, on account of the fear expressed by one of the voyagers of that name, and the point he named Point Care. It is generally agreed that these shoals are none other than those now known as Pollock Rip, and that Point Care is what is now called Monomoy Point at the southeasterly extremity of the town of Chatham. Having doubled the point, Gosnold bore up toward the land and at night came near it, anchoring in eight fathoms of water. On the next day being surrounded by many breakers stirred up, probably, by the wind, he continued at anchor. On the 18th, a boat was sent forward to sound over some distant shoals that lay in his path around another point, which he called Gilbert's Point, and which is identified as Point Gammon at Hyannis Harbor. On this day a company of Indians, filling several canoes, came to the side of the ship. As already intimated, they had probably had some previous acquaintance with the white man, for they came prepared to trade, bringing tobacco, "pipes steeled with copper," skins, artificial strings and other trifles to barter. What they could not get by trade they tried to steal. They wore no clothing except skins about their loins and over their shoulders. "One had

7. From Peaked Hill Bars (Provincetown) to Monomoy Point the distance by sea is but slightly over twelve leagues.

hanging about his neck a plate of rich copper, in length a foot, in breadth half a foot, for a breastplate; the ears of all the rest had pendants of copper. Also, one of them had his face painted over, and his head stuck with feathers in manner of a turkey cock's train." Gosnold found them suspicious and ready to take alarm on the slightest provocation. He did not stop to make a landing here, but after his visitors had departed, proceeded westward to an island in Buzzard's Bay, where he remained several weeks before returning to England.⁸

In June of the following year, Capt. Martin Pring, another Englishman, set out from Bristol, England, and on his arrival upon the New England coast is said to have followed the route taken by Gosnold, but satisfactory details of his voyage are lacking.⁹ Two years later in March, 1605, Capt. George Waymouth sailed from Ratcliffe, England, and arriving on the New England coast in latitude 41 degrees 20 minutes north, became so entangled in the shoals east of Monomoit and Nantucket that he was glad to change his course to the northward and reached the coast of Maine in safety, whence he later returned to England.¹⁰

In the autumn of the following year the white man for the first time, so far as we know, found his way into the harbor of Monomoit and set foot upon the soil of this part of the Cape. Two years before a small colony had been established by the French at the mouth of the St. Croix River, but the rigors of the first winter had persuaded them to abandon it, as soon as practicable, for a location farther south. Accordingly, in 1605 a party had been sent out and had followed the coast as far south as Nauset Harbor,¹¹

8. Archer's Account of Gosnold's Voyage; also Brereton's Account, both in Mass Historical Collections (3rd Series), VIII.

9. Works of John Smith (Eng. Scholars Lib. Ed.), 336.

10. Roster's Account, Mass. Hist. Coll. (3d Ser.), VIII, 125.

11. Between Orleans and Eastham. They remained five or six days in this harbor, making observations of the locality and the people, who at first appeared friendly. Trouble, however, arose when the Indians seized a kettle belonging to the vessel. In

without, however, finding any satisfactory site for the new colony. They were, therefore, compelled to pass the next winter at a place called Port Royal, near their former location, and in 1606 a more determined effort was made to find a suitable site for a permanent settlement. A party of about twenty-five men set sail from Port Royal on September 5, 1606, in a bark of eighteen tons with this purpose in view. At its head was one Jean de Poutrincourt, the leader of the colony and the representative of its founder, Sieur de Monts. Accompanying him were Samuel de Champlain, the famous explorer,—de Champdore, Daniel Hay, (an Englishman), a son of de Poutrincourt, Robert Gravé, a surgeon, an apothecary and a trumpeter, and a company of common sailors. They also brought with them a chieftain of the St. John's River, Secondon by name, to assist them in their intercourse with the natives. Following the coast along leisurely, they arrived off Nauset Harbor on the second day of October. A head wind prevailed, but after delaying a few hours, they continued southward a distance estimated by Champlain at six leagues, when they anchored near the coast. This point of anchorage, notwithstanding the distance mentioned, must have been off what is now Chatham village.¹² Here the voyagers noticed columns of smoke along the shore from fires set by the Indians and manned a boat to go thither, but found the surf too dangerous for landing. Thereupon, the Indians launched a canoe through the surf and rowed out to the vessel, singing and

the scrimmage which ensued, one of the French was killed and they, in turn, captured one of the Indians, whom they afterwards released. They named the place Port de Mallebarre. The Indians belonged to the Nauset tribe, the neighbors of the Monomoyucks on the north. It is erroneously stated by Freeman (History of Cape Cod) that the French in 1601 sailed along the coast as far as the south shore of Cape Cod.

12. "When we consider that in the early part of the day, while detained sometime by head winds, they had assisted at a dance on shore (at Nauset Harbor) and in the latter part of the day had come to anchor in a calm and gone in their boat to meet the savages again, there would not seem to be much time left in the light of an autumn day, to make all these leagues." Prof. Mitchell in U. S. Coast Survey Report, 1871.

making signs of pleasure. They informed the voyagers that there was a safe harbor further around to the south and returned to the shore. "On the next day," says Champlain in his account of the voyage, "the wind being favorable, we continued our course to the south five leagues, and hardly had we gone this distance, when we found three and four fathoms of water at a distance of a league and a half from the shore. On going a little further, the depth suddenly diminished to a fathom and a half and two fathoms, which alarmed us, since we saw the sea breaking all around, but no passage by which we could retrace our course, for the wind was directly contrary. Accordingly, being shut in among the breakers and sand banks, we had to go at haphazard where there seemed to be the most water for our bark, which was at most only four feet. We continued among these breakers until we found as much as four feet and a half. Finally we succeeded by the grace of God in going over a sandy point running out nearly three leagues seaward to the south-southeast and a very dangerous place. Doubling this cape which we named Cape Batturier,¹³ which is twelve or thirteen leagues from Mallebarre,¹⁴ we anchored in two and a half fathoms of water,¹⁵ since we saw ourselves surrounded on all sides by breakers and shoals, except in some places where the sea was breaking but little."¹⁶

During this passage of the shoals their bark had touched

13. This is, of course, the same place called Point Caro by Gosnold. Later, as we shall see, it was called "Vlacke Hoek?" (Flat Hook or Cape) by the Dutch. None of these designations have survived. It is frequently shown on maps as Cape Mallebarre, a name which Champlain gave to the entrance of Nauset Harbor and not to Monomoy Point. Locally, the point is never called Cape Mallebarre, but is known as Monomoy or Sandy Point.

The word "Batturier" is an adjective formed from the noun *batture*, which means a bank on which the sea beats. Cape Batturier may, therefore, be translated Sand Bank Cape or Cape of the Sand Banks.

14. Nauset Harbor. The distance here is greatly overestimated. Champlain, however, throughout this account overestimates distances along the shore.

15. According to Lescarbot (*Histoire de la Nouvelle France*) they anchored three leagues from the mainland.

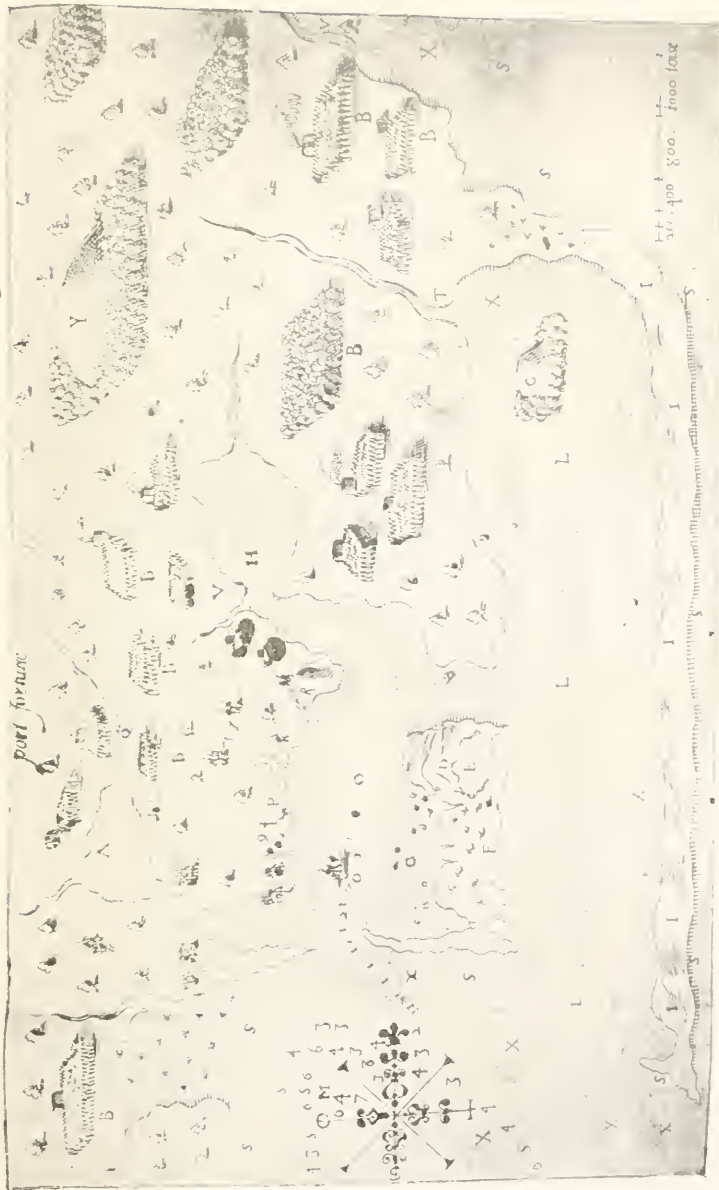
16. *Voyages of Samuel de Champlain* (Prince Soc. Ed.), II, 118.

bottom two or three times, but had fortunately been carried over into deeper water by the tide and waves. Their rudder had been broken on one of these occasions, so that they were in no condition to proceed till it had been temporarily repaired. While this was being done, their shallop was sent, in charge of Daniel Hay, to find whether they could enter the harbor. As the party approached the shore, probably at Harding's Beach, they saw an Indian dancing and singing "yo, yo, yo," to attract their attention and on landing he informed them that they could enter the harbor in safety. They induced him to come with them to their vessel, where he was greeted by Secondon, their Indian friend. Neither Indian could understand the language of the other, but by signs they were able to communicate readily.¹⁷ The voyagers thereupon weighed anchor and under the guidance of their new friend proceeded "to a roadstead before the harbor [*i. e.* off Harding's Beach] in six fathoms of water and a good bottom," where they anchored, the night overtaking them. "On the next day," says Champlain, "men were sent to set stakes at the end of a sand bank at the mouth of the harbor [*i. e.* at Harding's Beach Point] where, the tide rising, we entered in two fathoms of water. When we had arrived, we praised God for being in a place of safety. Our rudder had been broken, which we had mended with ropes, but we were afraid that amid these shallows and strong tides it would break anew and we should be lost."¹⁸

And now having carefully followed the movements of the voyagers until their safe arrival in Stage Harbor, let us pause a moment in the narrative and attempt to form a picture of the locality and its inhabitants as it appeared to these Frenchmen on this fourth day of October, 1606. Fortu-

17. Lescarbot, *Histoire de la Nouvelle France* (1609) 604. Lescarbot was one of the Port Royal colonists who did not accompany de Pontreucourt on this voyage, but obtained his information from the voyagers after their return.

18. *Voyages of Samuel de Champlain* (Prince Soc. Ed.) II, 120.



Port Fortune

Champlain's Explanation of the Accompanying Map.

PORT FORTUNE.

The Figures Indicate Fathoms of Water.

A. Pond of salt water. *a* B. Cabins of the savages and the lands they cultivate. C Meadows where there are two little brooks. C. Meadows on the island that are covered at every tide. *b* D. Small mountain ranges on the island that are covered with trees, vines and plum trees. *c* E. Pond of fresh water where there is plenty of game. F. A kind of meadow on the island. G. An island covered with wood in a great arm of the sea. *d* H. A sort of pond of salt water where there are many shell fish, and among others quantities of oysters. *e* I. Sandy downs on a narrow tongue of land. L. Arm of the sea. M. Roadstead before the harbor where we anchored. *f* N. Entrance to the harbor. O. The harbor and place where our bark was. P. The cross we planted Q. Little brook. R. Mountain which is seen at a great distance. *g* S. Seashore. T. Little river. V. Way we went in their country among their dwellings; it is indicated by small dots. *h* X. Banks and shoals. Y. Small mountain seen in the interior. *i* Z. Small brooks. 9. Spot near the cross where the savages killed our men.

NOTES. *a*. Now called Oyster Pond. *b*. "The letter C appears twice in the index, but both are wanting on the map. The former seems to point to the meadows on the upper left hand corner of the map; the other should probably take the place of the O on the western part of the island above F." Champlain's Voyages (Prince Soc. Ed), Rev. Mr. Slafter's note. *c*. The island was called by the Indians Quentnosset or Quitsneset and is now called Morris Island. The "small mountain ranges" were nothing but moderate sized hills. The plum trees mentioned were beach plum bushes, for which the island is still noted. Champlain, it seems, found them growing there nearly three hundred years ago. *d*. This is Ram Island. *e*. This is Mill Pond. *f*. Off Harding's Beach. *g*. A good sized hill, not a mountain. *h*. "The circuit here indicated is about four or five miles. Another path is indicated in the same manner on the extreme northern end of the map, which shows that their excursions had been extensive." (Rev. Mr. Slafter's note.) *i*. This is Great Hill, always a conspicuous object.

nately, in drawing this picture we can have the aid of one of the most distinguished explorers of his time, Samuel de Champlain, and we are able, at this the dawn of a new era in the life of the locality, to present a statement of local conditions more clear and full than any which can be obtained for the next two hundred years.¹⁹

Contrary to the ideas of some antiquarians, the locality was without much doubt essentially the same in shape and form as it is to-day. Along the easterly side of the town changes have been wrought since that early time by the action of the ocean, but that the place was a waste of waters as some early inaccurate maps tend to show or that it has been radically changed by volcanic influence, is utterly untrue. General maps of New England or of North America issued in the seventeenth century can be found, in which the outline of this part of Cape Cod is shown in every conceivable shape, but these general maps have no value in relation to details of the coast.²⁰ The map of Stage Harbor by Champlain here presented has more value for our purpose than all of them. It may not be accurate in some details, but its general features must stand and must be a complete answer to every claim that surprising and radical changes in the coast have taken place since Gosnold discovered and named Cape Cod. Here is Morris Island, and even the pond upon it, clearly shown; here are Harding's Beach, the Oyster Pond, the Mill Pond and the Great Hill almost as we see them to-day, and here is Monomoy Beach extending southward from the town. It may be doubted whether the map is accurate in showing a connection between the beach and the mainland at North Chatham, but it may have appeared so to Champlain as he rowed up the bay east of the

19. See Mass. Hist. Coll. (1st Series) VIII, 142 for account of Chatham in 1802.

20. For such maps see a collection of early maps in Boston Public Library; De Laet's map in Winsor's Narr. and Critical Hist. of N. A. IV, 436; Memorial Hist. of Boston, I 37 et seq; map in Wood's New England's Prospect. See also map in Neal's History of New England and in Boston Sunday Globe, Jan. 22, 1899.

town. At all events, the claim made by the late Amos Otis, Esq., based upon some vague expressions in the accounts of Gosnold's voyage, that Monomoy Beach must have extended east from the town at this time, and that the whole locality has seen great changes since this period, must fall to the ground.²¹

There have been many minor changes since Champlain's time. He could then sail or row from Stage Harbor directly up to Old Harbor, or North Chatham, through a passage between Morris Island and the mainland long since closed, though, I believe, partially opened again in recent years.²² Arriving there he found an island of about thirteen acres, now obliterated, lying between the beach and the mainland. It was covered with trees. Its Indian name was *Cotchpinicut* or *Scotchpenacot*, and it was later called by the English *Ram Island*. It is shown on his map.²³ Monomoy Beach extends now some distance further south than it did then, and there was more of a harbor along its westerly side than there is now. There was a good harbor, protected by the beach, along the easterly side of the town. Farther north there was an entrance through the beach directly into Pleasant Bay which has since been closed,²⁴ while other entrances have been opened in the beach farther south.

21. N. E. Hist. and Gen. Register, XVIII, 37. Mr. Otis does not once mention Champlain's narrative or map in his article in the Register just cited, and as Champlain's writings were not then accessible in English, I doubt whether he knew of them at the time he wrote the article. It is my intention to treat this subject more fully in a subsequent chapter, dealing with the changes wrought by the ocean along the shore of the town.

22. This passage was closed between 1752 and 1772. The tradition is that the last vessel which attempted the passage was a "pink." Mass. Harbor Commissioners' Report (1873), 103.

23. There was a small pond or swamp in the center of the island, which was of oblong shape, its greatest length being north and south. When surveyed in 1847 it had a house upon it. The beach in front of this island was broken through in 1851 in the great storm which destroyed Minot's Light. Thereafter it was gradually washed away by the ocean waves. Parts of it remained for as much as ten years after. Mass. Harbor Commissioners' Report (1873).

24. This entrance was about east of Strong Island. It was closed about 1730. See map of J. F. W. Des Barres (1764) in the *Atlantic Neptune*.

Several miles southeast from Stage Harbor was an island, later called Webb's Island, now obliterated by the waves,²⁵ and north of the town, off what is now Orleans, was another small island called Slut's Bush by the English, which has met the same fate.²⁶ Early maps also show two or three small islands lying off east of the town and called "Seale Isles," which do not now exist, but whose sites are dangerous shoals to-day.²⁷

The mainland is described by Champlain as very hilly. It was well wooded, although in places the natives had made considerable clearings, where they cultivated corn and other cereals. There were many walnut trees,²⁸ oaks and cedars, but few pines. Wild grape vines were common,²⁹ and beach plum bushes furnished an abundance of fruit. "All the harbors, bays and coasts," writes Champlain, "are filled with every variety of fish. There are also many shellfish of various sorts, principally oysters. Game birds are very plenty."³⁰

According to Lescarbot, the French did not fail to take advantage of the abundance around them. As they were not supplied with fishing tackle, they confined their efforts

25. "When the English first settled upon the Cape, there was an Island off Chatham, three leagues distant, called Webb's Island, containing twenty acres, covered with red cedar or savin. The inhabitants of Nantucket used to carry wood from it. This island has been wholly washed away for almost a century. A large rock that was upon the island and which settled as the earth washed away, now marks the place; it rises as much above the bottom of the sea as it used to rise above the surface of the ground. The water is six fathoms deep on this spot." *Mass. Magazine*, Dec. 1790. The existence of this island is also established by well defined local tradition.

26. Traces of this island, which was called the Isle of Nauset by Capt. John Smith, the famous navigator, remained as late as 1810. See further note Chapter III, note 4.

27. See map in *English Coast Pilot* (1707).

28. That there were walnut trees scattered through the forest which formerly covered Chatham is well established. In a deed dated April, 1677, from William Nickerson to Nathaniel Covell, of a parcel of woodland on the east side of Great Hill, one of the corner bounds is described as a "walnutt tree that is marked on four sydes." I believe that such trees may now be found on Morris Island. They are now usually called hickories.

29. *Sieur de Pontriacourt* intended to take away some of these vines with him, but his orders were forgotten.

30. *Voyages of Samuel de Champlain* (Prince Soc. Ed.) II, 125.

to shellfish of various kinds. A shore bird which he calls a sea lark, was so plenty that *Sieur de Poutrincourt* killed twenty-eight at one shot.³¹

"It would be an excellent place," declares *Champlain*, "to erect buildings and lay the foundations of a State, if the harbor were somewhat deeper and the entrance safer." He found but one fathom of water in the harbor at low tide and two at full tide. In another place he adds: "The coast though low is fine and good, yet difficult of access, there being no harbors, many reefs and shallow waters for the distance of nearly two leagues from land."

"We saw in this place," he reports, "some five to six hundred savages, all naked except their loins, which they cover with doe or seal skin. They wear their hair carefully combed and twisted in various ways, both men and women, after the manner of the savages of *Chouacoct*.³² Their bodies are well proportioned and their skin olive colored. They adorn themselves with feathers, beads of shell and other gewgaws, which they arrange very neatly in embroidery work. As weapons they have bows, arrows and clubs. They are not so much great hunters as good fishermen and tillers of the soil."

"All the inhabitants of the place are very fond of agriculture and provide themselves with Indian corn for the winter which they store in the following manner: They make trenches in the sand on the slope of the hills, some five to six feet deep more or less. Putting their corn and other grains into large grain sacks, they throw them into these trenches and cover them with sand three or four feet above the surface of the earth, taking it out as their needs require. In this way it is preserved as well as it would be possible to do in our granaries."³³

31. *Lescarbot, Histoire de la Nouvelle France* (1609) 606.

32. A place on the coast of Maine.

33. *Voyages of Samuel de Champlain* (*Prince Soc. Ed.*) II, 121, 122. From this practice the English may have derived the custom, which existed till far into the last century, of

The Indian method of agriculture, as described by Champlain, was first to dig up the ground with wooden spades and then to plant corn and beans together in hills about three feet apart. As the crop grew, the beans interlaced with the corn, which was five or six feet high at maturity. They also raised squashes and pumpkins. Tobacco was considerably cultivated; it was prepared for smoking by being dried and then reduced to powder. Their corn they prepared by boiling or reduced it to flour in wooden mortars and made it into cakes.

Of their habitations, belief, etc., Champlain reports as follows: "Their dwellings are separate from each other, according to the land which each one occupies. They are large, of a circular shape, and covered with thatch made of grasses or the husks of Indian corn. They are furnished only with a bed or two, raised a foot from the ground, made of a number of little pieces of wood pressed against each other, on which they arrange a rude mat, after the Spanish style, which is a kind of matting two or three fingers thick; on these they sleep. They have a great many fleas in summer, even in the fields."

"In regard to their police, government and belief, we have been unable to form a judgment; but I suppose that they are not different in this respect from our savages the Souriquois and Canadians, who worship neither the moon nor the sun, nor anything else, and pray no more than the beasts. There are, however, among them some persons who, as they say, are in concert with the devil, in whom they have great faith.³⁴ They tell them all that is to happen to them, but in so doing lie for the most part. Sometimes

preserving potatoes and other vegetables in "potatoe holes." These were dug in the autumn and filled with potatoes, etc., up to within two or three feet of the surface of the ground. Boards were laid across the top of the hole and the soil which had been dug out was heaped upon them, making a large mound, through which the frosts could not penetrate.

34. These were the powows or medicine men of the tribe.

they succeed in hitting the mark very well and tell them things similar to those which actually happen to them. For this reason they have faith in them, as if they were prophets, while they are only impostors who delude them, as the Egyptians and Bohemians do the simple villagers."³⁵

"They have chiefs, whom they obey in matters of war but not otherwise, and who engage in labor and hold no higher rank than their companions. Each one has only so much land as he needs for his support."³⁶

They had no notions of the rights of property as the Europeans understood them. Champlain, therefore, thought little of them. Of the Nausets, whom he found at Nauset Harbor the preceding year, he wrote: "It would seem from their appearance that they have a good disposition, better than those of the north, but they are all in fact of no great worth. Even a slight intercourse with them gives you at once a knowledge of them. They are great thieves, and if they can not lay hold of anything with their hands, they try to do so with their feet."³⁷ With Champlain entertaining these opinions, it is not strange that when the Monomoyicks who now confronted the French, began their thieving tactics, retaliation was sure to come.

35. The villagers of France are referred to.

36. Voyages of Samuel de Champlain (Prince Soc Ed.) II, 124.

37. Voyages of Samuel de Champlain (Prince Soc Ed.) II, 85.

CHAPTER II.

FRENCH AND INDIAN ENCOUNTERS AT MONOMOIT.



CHAMPLAIN

NO sooner had Sieur de Poutrincourt and his party fixed upon a suitable place for anchorage near the shore at Stage Harbor, than they began preparations for repairing their broken rudder, in order to continue their voyage. With the appliances which they had, however, repairing was slow work. They set up a forge on shore for welding the iron and hastened matters as much as possible. They also constructed an oven on shore in order to prepare a supply of bread for the subsequent voyage.

The Indians at the outset seemed friendly. They came to the bark bringing tobacco, chains, collars, bracelets of shell, corn, beans, bows, arrows, quivers, and various nicknacks, to exchange for wares of the strangers. At other times they brought fish and raisins. A profitable trade subsisted for a time between them. Moreover, when Sieur de Poutrincourt wished to find a safer route for his departure than that by which he had entered the harbor, the Indians sent one of their number to accompany the men detailed by Sieur de Poutrincourt for this duty. The Indian piloted them out of the harbor in the shallop or boat belonging to the ship, but when they had gone five or six leagues and were near the land, he made his escape, being afraid of being taken to other savages farther south, the enemies of his tribe, as he gave those in the boat to understand. After the

party had returned and reported no shoals or reefs to the westward, the Frenchmen hastened to finish the repairs on the bark and to make a supply of bread for fifteen days. The Indians now appearing near the shore in very large numbers, *Sieur de Poutrincourt* thought best to overawe them by sending one of his men among them, brandishing and flourishing a couple of swords. This astonished them, but they were more amazed to see the guns of the French shoot bullets through wood on which their own arrows could scarcely make an impression. ¹

So numerous did the natives appear to be that *Champlain* reports, as already stated, some five or six hundred inhabitants of the place. It is likely, however, that some of these were members of neighboring tribes, who were attracted to the place by the prolonged visit of the strangers.

When they had been in the harbor nearly a week, *Sieur de Poutrincourt* took ten or twelve of his men and explored the adjacent country, where he saw here and there a large number of wigwams. From *Champlain's* map it appears that on this inland excursion they followed the west side of Mill Pond River or Mitchell's River, thence crossed in a westerly or northwesterly direction to the head of the Oyster Pond, passed around the north side of the pond, and along Oyster Pond River till they came to the head of Harding's Beach, where they took their shallop and rowed down the river to their vessel, which lay a little west of the present wharves.

After about ten days' labor the rudder was again made staunch and strong and their supply of bread was nearly all prepared. The harbor, Morris Island, and the mainland had been well explored. Then suddenly trouble began to brew. The Indians on one of their visits had made off with an axe belonging to the voyagers and they in their anger had fired

1. *Lescarbot, Histoire de la Nouvelle France, 607.*

a couple of shots after them.² Not long after, as *Sieur de Poutrincourt* was walking out, as he had previously done, he observed the Indians taking down their wigwams and sending their women, children, provisions and other necessaries into the woods. The subsequent events are related by *Champlain* as follows :

"This [action of the Indians] made us suspect some evil intention, and that they purposed to attack those of our company who were working on shore, where they stayed at night in order to guard that which could not be embarked at evening, except with much trouble. This proved to be true, for they determined among themselves, after all their effects had been put in a place of security, to come and surprise those on land, taking advantage of them as much as possible, and to carry off all they had. But if, by chance, they should find them on their guard, they resolved to come with signs of friendship, as they were wont to do, leaving behind their bows and arrows.

"Now, in view of what *Sieur de Poutrincourt* had seen, and the order which it had been told him they observed when they wished to play some bad trick, when we passed by some cabins, where there was a large number of women, we gave them some bracelets and rings to keep them quiet and free from fear, and to most of the old and distinguished men, hatchets, knives and other things which they desired. This pleased them greatly, and they repaid it all in dances, gambols, and harangues which we did not understand at all. We went wherever we chose without their having the assurance to say anything to us. It pleased us greatly to see them show themselves so simple in appearance.

"We returned very quietly to our bark, accompanied by some of the savages. On the way we met several small troops of them, who gradually gathered together with their

2. *Lescarbot, Histoire de la Nouvelle France, 609.*

arms and were greatly astonished to see us so far in the interior, and did not suppose that we had just made a circuit of nearly four or five leagues about their territory. Passing near us they trembled with fear, lest harm should be done them, as it was in our power to do. But we did them none, although we knew their evil intentions. Having arrived where our men were working, Sieur de Poutrincourt inquired if everything was in readiness to resist the designs of this rabble.

“He ordered everything on shore to be embarked. This was done, except that he who was making the bread stayed to finish a baking and two others with him. They were told that the savages had some evil intent and that they should make haste to embark the coming evening, since they carried their plans into execution only at night or at daybreak, which in their plots is generally the hour for making a surprise.

“Evening having come, Sieur de Poutrincourt gave orders that the shallop should be sent ashore to get the men who remained. This was done as soon as the tide would permit, and those on shore were told that they must embark for the reason assigned. This they refused in spite of the remonstrances that were made, setting forth the risks they ran and the disobedience of their chief. They paid no attention to it, with the exception of a servant of Sieur de Poutrincourt, who embarked. Two others disembarked from the shallop and went to the three on shore, who had stayed to eat some cakes made at the same time with the bread. But, as they were unwilling to do as they were told, the shallop returned to the vessel. It was not mentioned to Sieur de Poutrincourt, who had retired, thinking that all were on board.

“The next day in the morning, the 15th day of October, the savages did not fail to come and see in what condition

our men were, whom they found asleep, except one who was near the fire. When they saw them in this condition, they came to the number of four hundred, softly over a hill and sent them such a volley of arrows that to rise up was death. Fleeing the best they could towards our bark, shouting 'Help! they are killing us!' a part fell dead in the water; the others were all pierced with arrows and one died in consequence a short time after. The savages made a desperate noise with roarings which it was terrible to hear.

"Upon the occurrence of this noise and that of our men, the sentinel on our vessel exclaimed, 'To arms! they are killing our men!' Consequently each one immediately seized his arms and we embarked in the shallop, some fifteen or sixteen of us, in order to go ashore.³ But, being unable to get there, on account of a sand bank between us and the land, we threw ourselves into the water and waded from this bank to the shore, the distance of a musket shot. As soon as we were there, the savages seeing us within arrow range fled into the interior. To pursue them was fruitless, for they are marvellously swift. All that we could do was to carry away the dead bodies and bury them near a cross, which had been set up the day before,⁴ and then to go here and there to see if we could get sight of any of them. But it was time wasted, therefore we came back. Three hours afterwards, they returned to us on the seashore. We discharged at them several shots from our little brass cannon, and when they heard the noise, they crouched down on the ground to avoid the fire. In mockery of us they beat down the cross and disinterred the dead, which displeased us greatly, and caused us to go for them a second time; but they fled as they had done before. We set up

3. — de Champdoré remained on the vessel to guard it, with a few others. Among those who rushed upon the Indians were de Poutrincourt, Champlain, Daniel Hay, Robert Gravé, the younger de Poutrincourt, the surgeon, the trumpeter and Loys Hebert, the apothecary. Lescarbot, *Histoire de la Nouvelle France*, 609.

4. While they chanted their orisons over the dead, the Indians at a safe distance kept up a derisive and provoking noise and commotion.

again the cross and re-interred the dead, whom they had thrown here and there amid the heath, where they had kindled a fire to burn them. We returned without any result, as we had done before, well aware that there was scarcely hope of avenging ourselves this time, and that we should have to renew the undertaking when it should please God." ⁵

In the foregoing account Champlain does not state exactly how many of the French fell victims to the Indians, but Lescarbot ⁶ states that two were killed outright and that a third died very soon after. A fourth was so badly wounded that he died from his injuries at Port Royal the following winter on their return thither. Only one of the five escaped and recovered from his wounds. How many of the Indians fell is not known. They were fired upon not only by the party which went ashore, but by Champdoré and those with him in the bark, and not a few must have fallen. ⁷

Everything being now in readiness for their departure, Sieur de Poutrincourt and his party set sail on October 16 from the harbor, which they named Port Fortuné, on account of the misfortunes which had befallen them there. After having gone some six or seven leagues and sighted an island, Martha's Vineyard, which they named La Soupcommense, the Doubtful, because in the distance they had several times thought it was not an island, the wind became contrary, and they were forced to put back to Port Fortuné, ⁸ where they remained two or three days, no savages during this time appearing. On the 20th they set out again and coasted along west nearly twelve leagues, passing a river, which they called Champlain's River, and which is probably

5. Voyages of Samuel de Champlain (Prince Soc. Ed.) II, 127-130

6. Histoire de la Nouvelle France, 609 et seq.

7. The Indians nimbly carried away those who fell so that the French could not tell the extent of their losses.

8. The latitude of Port Fortuné is given by Champlain as 41 degrees 20 minutes.



Indian Fight at Port Fortune

Champlain's Explanation of the Accompanying Map.

THE ATTACK AT PORT FORTUNE.

The Figures Indicate Fathoms of Water.

A. Place where the French were making bread. B. The savages surprising the French and shooting their arrows at them. C. The French burned by the savages. D. The French fleeing to the bark completely covered with arrows. E. Troops of savages burning the French, whom they had killed. F. Mountain bordering the harbor. G. Cabins of the savages. H. The French on the shore charging upon the savages. I. Savages routed by the French. L. Shallop in which were the French. M. Savages around our shallop who were surprised by our men. N. Bark of Sleur de Pout-rincourt. O. The harbor. P. Small brook. Q. French who fell dead in the water as they were trying to flee to the bark. R. Brook coming from certain marshes. S. Woods under cover of which the savages came.

Hadley River in Falmouth. The wind again grew contrary and very strong, so that they could not advance and were compelled to return again to their starting point. Soon after reaching the harbor, Robert, the son of Pont Gravé, lost his hand by the bursting of a musket which he attempted to fire. Angered by their former troubles, they now resolved to take revenge, if possible, for the killing of their comrades by the savages. The plan which they adopted for this purpose is described by Champlain as follows :

"Seeing now the wind continuing contrary and being unable to put to sea, we resolved meanwhile to get possession of some savages of this place, and, taking them to our settlement, put them to grinding corn at the hand-mill, as punishment for the deadly assault which they had committed on five or six of our company. But it was very difficult to do this when we were armed, since, if we went to them prepared to fight, they would turn and flee into the woods, where they were not to be caught. It was necessary, accordingly, to have recourse to artifice, and this is what we planned: When they should come to seek friendship with us, to coax them by showing them beads and other gewgaws, and assure them repeatedly of our good faith; then to take the shallop well armed and conduct on shore the most robust and strong men we had, each one having a chain of beads and a fathom of match on his arm; ⁹ and there, while pretending to smoke with them, (each one having an end of his match lighted so as not to excite suspicion, it being customary to have fire at the end of a cord in order to light the tobacco), coax them with pleasing words so as to draw them into the shallop. And if they should be unwilling to enter, each one approaching should choose his man, and, putting

9. The fathom of match was a rope, made of the tow of hemp or flax, loosely twisted, and prepared to retain the fire, so that, when once lighted, it would burn till the whole was consumed. It was employed in firing the matchlock, the arm then in common use. Voyages of Samuel de Champlain (Prince Soc. Ed.) II, 133 note.

the beads about his neck, should, at the same time, put the rope on him to draw him by force. But if they should be too boisterous and it should not be possible to succeed, they should be stabbed, the rope being firmly held; and if by chance any of them should get away, there should be men on land to charge upon them with swords. Meanwhile, the little cannon on our bark were to be kept ready to fire upon their companions in case they should come to assist them, under cover of which firearms the shallop could withdraw in security. The plan above mentioned was well carried out as it had been arranged."¹⁰

Champlain is not entirely frank in this last statement, as his own subsequent narrative shows. Lescarbot states more explicitly that they failed to capture any of the natives alive through too great haste; and that, having failed in their ruse, they attacked them with swords and butchered six or seven of them. The heads of these they carried away with them to Port Royal. Several days after these events, the Indians came to the shore and endeavored to lure the French into an ambuscade, which had been formed under a hillock behind some bushes. Sieur de Poutrincourt, with ten armed men, proceeded to the shore, but, on their approach, those in the ambuscade fled. The Indians then attempted to draw them into a second ambush, with the same result. They fired some musket shots after the retreating natives and returned to their vessel.

Sieur de Poutrincourt now decided to return forthwith to Port Royal, being short of provisions and having on his hands several sick and wounded men, who were suffering from lack of proper medicines and salves.¹¹ He, accordingly, made ready and set sail somewhere about October

10. *Voyages of Saimnel de Champlain* (Prince Soc. Ed.) II, 133.

11. There seems to have been a strange lack of proper equipment for this voyage in many respects. It will be remembered that they had no tackle for catching fish when they reached Stage Harbor.

25, arriving safely at Port Royal on November 14. Baffled and discouraged, the colonists abandoned the Port Royal settlement the following year and returned to France.

Such were the unfortunate experiences of the first white men known to have set foot upon the soil of Chatham. In consequence of a trivial act of wrong on the part of ignorant savages, four white men lost their lives, and doubtless many times that number of savages fell. More than this, the natives were placed in a position of hostility to strangers, which the actions of those Europeans who came to Cape Cod after them tended only to aggravate. Little blame can be given the Indians for the bitterness they subsequently showed toward the white man, or for the massacres which followed. Not until Governor Bradford, the peacemaker, and his Indian friend and interpreter, Tisquantum, began their intercourse with the Cape tribes, were the wounds inflicted by the French gradually healed.

CHAPTER III.

SOME EARLY VOYAGERS, DERMER'S FIGHTS AT MONOMOIT, AND BRADFORD'S VISITS.

FOR several years after the departure of the French, no other Europeans appear to have visited the harbor of Monomoit, although more than one vessel approached its shores and became entangled in the adjacent shoals. The first of these was the "Half Moon," commanded by Captain Henry Hudson, who, in April, 1609, sailed from Amsterdam with a crew of English and Dutch sailors, intending to discover a northwest passage to the Indies. On August 3 he sighted Cape Cod at some point not clearly defined, but probably near its northern extremity. It was near a headland, the body of which, it is stated, lay in latitude 41 degrees 45 minutes north. Here some of his men landed, found grapes and roses and saw some of the savages. From this point they sailed south and southeast, passing along by Monomoit, thence over the "Shoals" and south of Nantucket, reaching finally New York Bay.¹

In June, 1610, Captain Samuel Argall set sail from Jamestown, Virginia, in a small pinnace, bound for the Bermudas. His voyage was, however, prolonged till he reached the coast of Maine, and, on his return trip, he found himself, on August 20, off Cape Cod, where he intended to fish. He sighted a headland on that day stated to be in latitude 41 degrees 44 minutes north, and, thinking it was Cape Cod, sailed southwesterly down over the same

1. Juet's Account of Hudson's Voyage, N. Y. Hist. Soc. Coll. 1, 121 et seq.

shoals which Hudson had traversed the previous year. The headland which he saw may have been some part of Monomoit.²

In the following year trouble with the natives of Cape Cod again arose. A vessel commanded by Captain Edward Harlow, and hailing from the Isle of Wight, had been dispatched from England to the vicinity of the Cape for the purpose of finding an island supposed to be near it. The search was unsuccessful, but Harlow discovered that the Cape was not itself an island, as had been supposed, but a part of the mainland. There can be no doubt that he visited nearly all of the Cape shore. As might naturally be expected after the action of the French in 1606, he had several skirmishes with the natives, the details of which have not come down to us. He succeeded in detaining aboard his ship three of the Cape savages—Peckmo, Monopet and Pekenimme by name—but soon after Peckmo leapt overboard and got away. The latter then returned with some companions, cut Harlow's boat from the stern of the ship, got her on shore, filled her with sand and so defended her with bows and arrows that the English could not recover her. At another place on the Cape shore they had three of their men severely wounded by arrows. They secured two more Indians from Martha's Vineyard and one from an island called Nohono (perhaps Nantucket) and returned home.³

Three years later the famous navigator, Captain John Smith, was at Cape Cod upon an exploring expedition. He sailed from England in April, 1614, with two ships and forty-five men, and, after a quick passage, arrived off the coast of Maine, where he left a part of his men to fish, and with the remainder proceeded to explore the coast. In this

2. Purchas Pilgrims Pt. 4, 1761. The exact latitude of Monomoit is 41 degrees 40 minutes north.

3. Works of John Smith (Eng. Scholar's Lib. Ed.) 701.

way he visited all the New England shore as far south as Cape Cod and made a map of the whole region. He must have explored Cape Cod bay and perhaps doubled the Cape at Provincetown. That he did not go as far as Monomoit is evidenced by his account of the "Shoals," which was plainly based upon information derived from the Indians and not from his own observation. He says, "toward the south and southwest (?) of this cape [Cape Cod] is found a long and dangerous shoale of sands and rocks, But so farre as I encircled it [the Cape] I found thirtie fadome water aboard the shore and a strong current, which makes mee thinke there is a channel about this Shoale, where is the best and greatest fish to be had, Winter and Summer, in all that countrie, But *the Salvages say* there is no channel, but that the shoales beginne from the maine [land] at Pawmet to the ile of Nausit,⁴ and so extends beyond their knowledge into the sea."⁵

After one of his vessels had been laden with fish, Smith set sail for home, leaving the other vessel in command of Captain Thomas Hunt to load for Spain. The latter, to his own disgrace and to the disgust of Smith, before setting sail, conceived the idea of kidnapping some of the natives and selling them as slaves. This scheme he proceeded to carry out, and, enticing about a score of the Plymouth Indians on board his vessel, put to sea. At Cape Cod he kidnapped seven others of the Nauset tribe and carried all of them to Malaga. This act of treachery undoubtedly stirred the Cape Indians deeply, coming, as it did, after their troubles with

4. The "Ile of Nausit," an island of considerable extent, lay near the eastern shore of Orleans off about east from Pochet Island. The early settlers of old Eastham called it Slut's Bush, by which name it appears in their town records as early as 1659. It has long since been entirely obliterated by the action of the ocean currents, but a small portion remained as late as 1810. It was hilly and in some parts rocky. A tract of salt meadow lay between it and the mainland and a beach extended from it northerly parallel with the main shore. Otis' Account of the Discovery of an Ancient Ship on the Eastern Shore of Cape Cod, N. E. Hist. and Gen. Register, XVIII, 37.

5. Works of John Smith (Eng. Scholar's Lib. Ed.) 206.

Champlain's party and with Captain Harlow.⁶ They had their revenge soon after, as we shall see.

In 1614 Admiral Adrian Block, a Dutchman, was on the New England coast in the "Onrust" or "Restless," examining Long Island Sound and vicinity and extending his researches as far north as Boston Harbor. He or some other Dutch navigator about this time made a map of the New England coast, on which Cape Cod is called "Staaten Hoeck," Cape Mallebarre, or Monomoy Point, "Vlacke Hoeck" (Flat Hook or Cape), and Stage Harbor, "Unge-luckige Haven" (Unlucky Harbor), the last being a rendering into the Dutch language of Champlain's "Port Fortuné."⁷

In 1616 Captain Edward Brawnde, an Englishman, was on the coast of Maine in a ship of two hundred tons, "bound about Cape Cod for the discovery of certain peril which is told by the savages to be there." He was under the orders of Captain John Smith. The "certain peril" was doubtless the "shoals" off Monomoit.⁸

This year a French fishing vessel was wrecked at the lower part of the Cape, and the natives took their revenge for their former troubles. The sailors, evidently, saved not only their lives, but a considerable part of their goods, which they sought to conceal on the sandy shore. As soon as their presence became known, the natives began to assemble and finally set upon them, killing all but a few, and compelling the survivors to disclose the whereabouts of their property. These survivors were five in number and

6. "If vessels from unknown shores had then visited the coast of England or of France, or were now to sail into the harbors of Massachusetts, and, on departing, carried off, never to be heard of again, such visitors as could be enticed aboard, it is safe to say that those coming in other vessels of apparently similar character thereafter visiting those shores would not be kindly received. This was the exact case of the savages of the New England coast, but history has recorded not much on their side of the story. Saying little of their wrongs, it dwells at length on their treachery, their cruelty, and their extermination." C. F. Adams, *Three Episodes of Mass. History* I, 5.

7. See a copy of this map in *Memorial Hist. of Boston* I, 57.

8. *N. E. Hist. and Gen. Register*, XXVIII, 248.

their captors distributed them about in captivity. Sent up and down the Cape from sachem to sachem to be made sport of, they were fed with the food of dogs, while, as hewers of wood and drawers of water, they experienced a fate worse than that of slaves.⁹ Of course, the natives of Monomoiit had a part in this savagery. At length, two of the five were rescued in 1619, as will appear later; "while another, more fortunate than the rest in respect to the chief into whose hands he fell, adapted himself to his new conditions, and even had a squaw bestowed upon him, by whom he left a child. Of yet another there has a tradition come down, through two wholly disconnected sources, that he had saved a book, apparently a copy of the Bible, in which he often read; and that finally he learned enough of their language to rebuke his tormenters, and to predict for them God's displeasure and the coming of a race which should destroy them."¹⁰

The year 1616 was also memorable as the year of the great plague among the New England Indians. It was thought by some to have been the yellow fever; but, as it was not stopped by cold weather, but continued its ravages throughout the winter of 1616-17 and into the next summer, and was not communicated to the white people who came into contact with the Indians at that time, the better opinion seems to be that it was simply what Governor William Bradford describes it to be, "an infectious fever."¹¹ It depopulated the country settled a few years after by the Pilgrims and Puritans, but was supposed not to have raged so violently among the Indians farther south. I doubt, however, whether the Cape Indians escaped lightly. Champlain, in 1606, reports the Indians at Port Fortuné as very

9. C. F. Adams, *Three Episodes of Mass. History* I, 6; Bradford's *History*, ~~110~~ 65

10. C. F. Adams, *Three Episodes of Mass. History* I, 7.

11. C. F. Adams, *Three Episodes of Mass. History* I, Chap. I.

numerous, while Governor Bradford, in 1622, as we shall see, found the inhabitants but few.

In 1619 a new explorer, Captain Thomas Dermer, an Englishman employed by Sir Ferdinando Gorges, was upon the Cape Cod coast. He rescued two of the unfortunate French sailors, already three years in captivity among the Cape Indians, visited Nantucket or Martha's Vineyard and then returned to his rendezvous, the island of Monhegan, on the coast of Maine. Dermer had with him on this voyage an Indian named Tisquantum or Squanto as interpreter and guide, of whom particular mention should be made, as he was closely identified with Monomoit, visiting it or its vicinity several times and finally dying there in 1622. His ashes, probably, found their final resting place somewhere in its soil. He was one of the Indians kidnapped by Hunt in 1614, but, unlike the others, he seems to have won the friendship of his captors, learned their language, and became of great use to the English. He somehow reached England from Spain, perhaps brought thither by Hunt, who found difficulty in disposing of all his human freight at Malaga, and became a servant to an English gentleman. Later he was at Newfoundland, where Dermer first found him.

After his return to Monhegan, as above stated, Dermer decided, for various reasons, to set out for Virginia, taking with him four or five men besides the Frenchmen. On this voyage to Virginia he entered the harbor at Monomoit. "We had not now," he says, "that fair quarter [*i. e.* treatment] among the savages as before, which, I take it, was by reason of our savage's absence [*i. e.* Tisquantum], who desired (in regard of our long journey) to stay with some of our savage friends at Sawahquatooke;¹² for now almost everywhere where they were of any strength, they sought to betray us. At Manamoock¹³ (the southern part of Cape Cod

12. Satucket (Brewster).

13. Monomoit.

now called Suteliffe's Inlets) ¹⁴ I was unawares taken prisoner, when they sought to kill my men whom I left to man the pinnace, but missing of their purpose, they demanded a ransom, which had, I was as far from liberty as before. Yet it pleased God at last, after a strange manner, to deliver me, with three of them, into my hands, and a little after the chief sachem himself, who, seeing me weigh anchor, would have leaped overboard, but intercepted, craved pardon, and sent for the hatchets given for ransom, excusing himself by laying the fault on his neighbors; and to be friends, sent for a canoe's lading of corn, which received, we set him free." ¹⁵

The next voyagers in the vicinity of Monomoit, of whom we have any account, were destined by Providence to play a far greater part in the history of the New World than all those who had preceded them, for they were none other than the Pilgrims on their memorable voyage to found a colony in a land, where the pure light of their faith might shine undisturbed, both for their own profit and the benefit of those in heathen darkness. The record of the voyage shows that, after they first sighted land on November 9, 1620, they attempted to pass down south of the Cape over the "Shoals," in all probability in full sight of Monomoit, but being alarmed, as other voyagers had been, by the dangerous reefs and breakers, turned back northward and sought refuge at Provincetown. Governor Bradford, in his account of the voyage, mentions their first landfall, which was toward the north part of the Cape, and then says:

"After some deliberation had amongst themselves & with

14. This name for Monomolt was given by some English voyager, of whom we have no record. It was probably bestowed in honor of Dr. Matthew Suteliffe, Dean of Exeter, who was associated with Sir Ferdinando Gorges in his enterprises for colonization on the New England coast. He is mentioned by Captain John Smith as one of those who fitted him out in 1615 for a voyage to New England, which he attempted, but failed to accomplish by reason of shipwreck.

15. Dermer's Letter to Purchas, N. Y. Hist. Soc. Coll., (2nd series). Vol. I; Bradford's History, 59. Some writers place this voyage in the year 1620, for reasons not apparent.

ye Mr. of ye ship, they tacked aboute and resolved to stande for ye southward (ye wind & weather being faire) to finde some place aboute Hudson's river for their habitation.¹⁶ But after they had sailed yt course about halfe ye day, they fell amongst deangerous shoulds and roring breakers, and they were so farr intangled therwith, as they conceived themselves in great danger; & ye wind shrinking upon them withall, they resolved to bear up againe for the Cape, and thought themselves hapy to gett out of those dangers before night overtooke them, as by God's providence they did. And ye next day they gott into ye Cape-harbor" [Provincetown].¹⁷

It is evident, therefore, that to the "Shoals" of Monomoit must be attributed the result that New England, and not New York or New Jersey, became the home of the Pilgrims.

In the summer of 1622 an English vessel called the *Discovery*, Captain Jones master, must have spent some time in the vicinity of Monomoit. She was fitted out by English merchants to discover all the harbors between Virginia and Plymouth and the shoals of Cape Cod, and to trade along the coast where they could. On her way from Virginia she reached Plymouth in August.¹⁸

A few months later we find the Pilgrims again on the outer shore of the Cape and having an experience with the "Shoals" similar to their previous one. This time Governor Bradford with a small crew was upon a trading expedition from Plymouth around the outside of the Cape.¹⁹ He carried

16. According to their original intention.

17. Bradford's History, 46. Governor Bradford adds the following explanation: "It [Cape Cod] was thus first named by Capten Gosnole and his company, Ano: 1602, and after by Capten Smith was caled Cape James; but it retains ye former name amongst seamen. Also yt pointe which first shewed those dangerous shoulds unto them, they called Pointe Care and Tucker's Terrour; but ye French & Dutch, to this day, call it Malabarr, by reason of those perillous shoulds, and ye losses they have suffered their."

18. Bradford's History, 91.

19. Governor Bradford on this occasion had a small ship, the *Swan*, from Mr. Thomas Weston's colony at Wessagussett (Weymouth) and a Plymouth shallop. His crew was partly from Plymouth and partly from Wessagussett. Morton, *New England's Memorial* (Davis' Ed.), 83.

with him Tisquantum or Squanto as an interpreter and pilot, who had assured him that he had "twice passed within the shoals of Cape Cod both with English and French,"²⁰ and knew the way. "Nevertheless," says Governor Winslow, in his account of the voyage, "they went so far with him, as the master of the ship saw no hope of passage, but being, as he thought, in danger, bare up and according to Tisquantum's directions, made for a harbor not far from them at a place called Manamoyeke, which they found, and sounding it with their shallop, found the channel, though but narrow and crooked,²¹ where at length they harbored the ship. * * * * That night the Governor, accompanied with others, having Tisquantum for his interpreter, went ashore. At first the inhabitants played least in sight, because none of our people had ever been there before; but understanding the ends [*i. e.* objects] of their coming, at length came to them, welcoming our Governor according to their savage manner; refreshing them very well with store of venison and other victuals, which they brought them in great abundance; promising to trade with them, with a seeming gladness of the occasion. Yet their joy was mixed with much jealousy [*i. e.* suspicion] as appeared by their after practices; for at first they were loth their dwellings should be known, but when they saw our Governor's resolution to stay on the shore all night, they brought him to their houses, having first conveyed all their stuff to a remote place not far from the same; which one of our men, walking forth occasionally, espied. Whereupon, on the sudden, neither it nor they

20. Tisquantum is the same Indian mentioned by Dermer as accompanying him on his voyage.

21. This description, doubtless, applies to the opening through Nauset Beach into Pleasant Bay, then existing, but now long since closed. The following language of Governor Winslow seems to point to this conclusion: "Here they perceived that the tide set in and out with more violence at some other place more southerly, which they had not seen nor could discover, by reason of the violence of the season all the time of their abode there. Some judged that the entrance thereof might be beyond the shoals; but there is no certainty thereas yet known." Winslow's Relation, (Young's Chronicles of the Pilgrims, 300).

could be found; and so, many times after, upon conceived occasions they would be all gone, bag and baggage. But afterwards, by Tisquantum's means, ~~[being]~~ ^{being} better persuaded, they left their jealousy [*i. e.* abandoned their suspicions] and traded with them; where they [the Pilgrims] got eight hogsheads of corn and beans, though the people were but few.²² This gave our Governor and the company good encouragement, Tisquantum being still confident in the passage, and the inhabitants affirming that they had seen ships of good burthen pass within the shoals aforesaid.²³ But here, though they had determined to make a second essay, yet God had otherways disposed; who struck Tisquantum with sickness, insomuch ~~that~~ ^{as there} he died;²⁴ which crossed [*i. e.* prevented] their southward trading, and the more, because the master's sufficiency was much doubted, and the season very tempestuous and not fit to go upon discovery, having no guide to direct them."²⁵ Accordingly, they retraced their course northward, rounding the Cape, reaching the country of the Massachusetts and finally arriving at Plymouth.

In this account the Monomoyicks appear at first extremely suspicious and shy. Naturally enough, they regarded the strangers as enemies and expected trouble. They remembered de Poutrincourt, Harlow, Hunt and Dermer. They knew that they had taken revenge upon the shipwrecked Frenchmen, and that only two years before, their neighbors, the Nausets, had killed three Englishmen sent out by Sir Ferdinando Gorges, and that two others had barely escaped

22. "They got in this vioage in one place and another about 26 or 28 hogshds of corne and beans." Bradford's History, 92.

23. The Indians had seen Gosnold, De Poutrincourt and Dermer "pass within the shoals" to our certain knowledge. Probably Harlow and others unknown had sailed over the same course.

24. Tisquantum died of a fever accompanied with a bleeding at the nose, which the Indians take for a symptom of death. He desired the Governor to pray that he might go to the Englishmen's God in heaven, bequeathing sundry of his things to sundry of his English friends as remembrances of his love." Bradford's History, 92.

25. Winslow's Relation, (Young's Chronicles of the Pilgrims, 300).

to Monhegan. There had been fifteen years of warfare with the strangers from across the sea and they expected that the Pilgrims would continue hostilities. Undoubtedly, had Tisquantum been absent, the fate of Governor Bradford and his party would have been similar to that of Dermer, if not worse. Too much cannot be said in praise of this faithful ally of the English. Coming into the Plymouth settlement soon after it was begun, he not only assisted in keeping the Indians friendly, but as Governor Bradford aptly says, he "was their interpreter, and was a special instrument sent by God for their good beyond their expectation. He directed them how to set their corn, wher to take fish, and to procure other comodities, and was also their pilott to bring them to unknowne places for their profitt, and never left them till he dyed."²⁶ On this particular occasion, as we have seen, he rendered signal service. His persuasions, together with the conciliatory manner of Governor Bradford, clearly won the confidence and regard of the natives, while his unexpected death must have strongly affected both them and the Pilgrims. And so over Tisquantum's grave, as it were, a friendship was formed which was never afterwards broken. Even the very next year, when all or nearly all the other Cape tribes were drawn into a conspiracy against the Plymouth settlers, the natives of Monomoi could not be induced to turn against their new friends. From the list of the tribes who are mentioned as joining in that conspiracy, the name of the Monomoyick tribe is significantly absent.²⁷ No more graceful act could be performed by the grateful descendants of the Pilgrims than to erect upon the highest eminence at Chatham a simple monument to this unhonored, but most deserving, friend and protector of their forefathers.²⁸

26. Bradford's History, 57.

27. Winslow's Relation, (Young's Chronicles of the Pilgrims, 323).

28. An excellent biography of Tisquantum may be found in C. F. Adams, Three

Not long after Governor Bradford's visit, an incident occurred which throws additional light on the habits and life of the Monomoyicks. Like the rest of their race, they were very fond of gaming, and while ~~two~~ ^{one} of them ~~were~~ ^{and a stranger} were engaged in their favorite pastime, they became greatly enraged and one killed the other. The murderer was a powow or medicine man of the Monomoyick tribe, "one of special note among them and such as they could not well miss:" yet another tribe, to which the murdered man belonged, greater than they, had threatened them with war, if they would not put him to death. In this dilemma the chief of the Monomoyicks referred the matter to Canacum, the sachem of the tribe at Manomet (Sandwich), who was "of good repute and authority among the Indians." He dispatched two of his followers to lay the matter before Canacum. One night in January, 1623, "in bitter weather," they came to Canacum's wigwam, while he was entertaining Governor Bradford and his party, who was then upon a trading expedition in that part of the Cape. Laying aside their bows and quivers, the two agents of the Monomoyick chief sat down by the fire in silence and, taking a pipe of tobacco, began to smoke. At length they looked towards Canacum and one of them, after addressing a few words to him, delivered to him a present from his chief, a basket of tobacco and many beads, which Canacum received with thanks. He then proceeded to explain at length the purpose of their coming. After he had finished, a period of silence followed. Then Canacum asked the opinion of those present. Hobbomack, the Indian interpreter, who attended the Governor, was at length called upon. He

Episodes of Mass. History I, Chap. III. Mr. Adams well says: "Squanto has not had his due place in New England history given to him; for if human instruments are ever prepared by special Providence for a given work, he was assuredly so prepared for his. Squanto was, in fact, for a time perhaps the most essential factor in the prolonged existence of the Plymouth colony, for it was he who showed the starving and discouraged settlers how to plant and tend that maize, without their crop of which the famine of the second winter would have finished those few who survived the exposure of the first."

replied that he was a stranger to them, but thought "it was better that one should die than many, since he had deserved it and the rest were innocent." Thereupon Canacum passed the sentence of death, and the threatened hostilities were averted.²⁹

In December, 1626, a distressing shipwreck occurred on some part of the beach which stretches before Pleasant bay near to, if not within, the limits of Monomoit. It seems that the captain of the vessel,³⁰ a Scotchman named Johnston, was ill at the time, and as the voyagers were out of provisions, they sought to make the nearest land. They ran over the dangerous shoals of Cape Cod in the night and came "right before a small blind harbor that lies about the middle of Monamoyake Bay." At high water they touched the bar and towards night beat over it into the harbor, where they ran upon a flat near the beach and saved their lives and goods. Not knowing where they were, as the savages came towards them in canoes, they stood on their guard, but were reassured when the savages asked if they were the Governor of Plymouth's men and then offered to conduct them to him or carry letters. Accepting the friendly offer, they dispatched two of their men, under guidance of the Indians, with a letter to the Governor, entreating him to send them pitch, oakum, spikes, etc., to mend their ship, and corn to help them to Virginia. As the men who were suitable to send on such an errand were then away from the Colony on a trading expedition, Governor Bradford himself went to succor the unfortunate voyagers, taking in his boat the materials they desired and commodities suitable to buy corn of the natives. As it was no season of the year to go outside of the Cape, he sailed to the bottom of the bay inside, into a "creek called Naumskakett,"³¹ whence it was not over

29. Winslow's Relation, (Young's Chronicles of the Pilgrims, 307).

30. There is an uncertain tradition that the name of the ship was the "Sparrowhawk." N. E. Hist. & Gen. Register XV111, 37.

31. Naumskaket river, the boundary between Orleans and Brewster.

two miles across to the bay where they were. The Indians carried his things across the land, and he was received with joy.³² He bought of the natives as much corn as the voyagers wanted and left them thankful. Then, taking his boat, he went into other adjacent harbors, bought and loaded it with corn and returned home. Not long after his return, however, the people at "Monamoyake" sent him word that, their ship being mended, a great storm drove her ashore and so shattered her as to make her wholly unfit for sea. They begged the Governor to send means to transport themselves and their goods to Plymouth, and desired permission to stay with his people until they could find passage to Virginia. The transportation was furnished and the voyagers were sheltered in the homes of Plymouth for several months.³³

There is every reason to suppose that after this time the shores of Monomoy were visited by voyagers with increas-

32. The good Governor, with his retinue of Indians laden with goods, emerging from the forest into the presence of the overjoyed voyagers, who must have hailed him as their deliverer, presents a scene worthy the brush of a painter.

33. "The cheefe amongst these people was one Mr. Fells and Mr. Sibsie, which had many servants belonging unto them, many of them being Irish. Some others there were yt had a servante or 2 a peece; but ye most were servants, and such as were ingaged to the former persons, who also had ye most goods." Bradford's History, 148. The wreck of this vessel was, after a time, buried in the changing sands and the fact of its existence was doubtless forgotten. In 1782, by some unusual movement of the sands, it was again presented to view, but was soon hidden and forgotten again. After nearly eighty years more had passed, the sands once more disclosed their secret. In the early part of May, 1863, the "Sparrowhawk" again appeared to view, and this time attracted much attention. Amos Otis, Esq., the learned antiquary, published at the time a full account of the wreck. It appears that the vessel "was well built of oak, still wholly undecayed, the corners of her timbers being as sharp as when new. Yet every particle of iron had disappeared, except as rust stains in the surrounding earth. The ancient repairs on the craft were evident, as several of her 'tree-nails' had been split with a chisel and tightened by wedging. The deck and bows were wanting, her upper works having been burned away. In the hold were found beef and mutton bones, some shoe soles, a small metallic box, and a pipe-bowl like a modern opium smoker's. She was perhaps of seventy tons' burden when completed. Her keel showed but one step for a mast, but there was probably a small mast with a lateen sail mounted at her stern, making the then common rig of a ketch." (Goodwin, *The Pilgrim Republic*, 314). She was found on the second lot of the Potanumaquut meadows, which had been always known as the "Old Ship" lot. In the following August the wreck was again buried by the changing sands, but this time it was not forgotten. In 1865 it was raised and placed for exhibition on Boston Common, and was viewed with curiosity by thousands. It now rests in Pilgrim Hall, Plymouth. See Otis' Account, N. E. Hist. & Gen. Register XVIII, 37. There is a picture of this ship in Swift's History of Cape Cod.

ing frequency, although the record of such visits is unfortunately lacking. The right to trade with the natives undoubtedly brought the Pilgrims thither occasionally. After the founding of Salem and Boston, trade sprang up between these ports and the coast region west of Cape Cod,³⁴ and also with the Southern colonies, thereby bringing an increasing number of ships over the "Shoals" of Monomoit. In the autumn of 1633 the bark "Blessing of the Bay," on a trip to and from Long Island, passed and re-passed "over the Shoals of Cape Cod about three or four leagues from Nantucket Isle, where the breaches are very terrible."³⁵ The following year, the *Rebecka*, Captain Pierce, master, on a voyage to and from Narragansett,^{Bay} "went over the shoals, having, for the most part, five or six fathom within half a mile and less of the shore, from the north part of Cape Cod to Nantuckett Island, * * and in the shallowest place two and a half fathom."³⁶ Only a few such glimpses of this increasing trade can be found here and there in early writings, and almost nothing can be learned of those voyagers who touched at Monomoit or met with disaster on its shores at this early period. For the history of Monomoit subsequent to the wreck of the "Sparrowhawk," we must turn in another direction; it can no longer be gathered from the accounts of the explorer or the chance voyager.

34. September 6, 1631. "About this time last year the company here set forth a pinnace to the parts about Cape Cod to trade for corn and it brought here above eighty bushels." Winthrop, History of New England 1, 72.

35. Winthrop, History of New England 1, 134.

36. Winthrop, History of New England 1, 175.

CHAPTER IV.

THE "PURCHASERS OR OLD COMERS" AND THE MONOMOIT LANDS.

WITH the exception of the establishment of a trading post at Manomet River by the Pilgrims in 1627, the Cape Cod peninsula remained exclusively in control of the Indians till 1630. The Plymouth settlers had no rights over it, for it did not lie within the meagre limits of the colony, as originally granted to them by the "Council for New England." By the terms of the new patent, however, which they obtained in 1630, known as the Bradford patent, the whole of Cape Cod became a part of the Plymouth Colony. This change did not result in the immediate occupation of the region, owing to the slow growth and conservative policy of the colony.

Early records and writings of the time, however, show that different parts of the Cape were occasionally resorted to about this time by fishermen, traders, and roving adventurers, and perhaps, in a very few cases, residents may have established themselves in some parts of the county soon after 1630. Those who did so, however, acted without the authority of the Plymouth magistrates and were regarded as intruders and trespassers.

The first authorized settlement on the Cape was made at Sandwich in 1637, when liberty was given to the men of Saugus (now Lynn), viz.: Edmund Freeman, Henry Feake, Thomas Dexter, Edward Dillingham, William Wood,

1. Bradford's History, 149.

John Carmen, Richard Chadwell, William Almy, Thomas Tupper, and George Knott, "to view a place to sitt downe, and have sufficient lands for three score families." upon conditions stated by the Governor and Mr. Winslow.² These men selected Sandwich for their location and with them came fifty other settlers, most of them bringing their families.

Two years later, when the Sandwich community had been well established, settlements were made at Barnstable and Yarmouth. The majority of those who settled at the former place were from Scituate, being followers of Rev. John Lothrop, while the leaders of the Yarmouth settlement were Anthony Thacher, then of Marblehead, John Crow of Charlestown, and Thomas Howes, at one time of Salem. These people all established themselves near the north shore of the Cape, whence communication with Plymouth or Boston could be most conveniently had.

In all probability, the lands east of the Yarmouth community would have been occupied within a few years after 1639, had they remained opened for settlers for any length of time, but their early development was prevented by the action of the Plymouth authorities, in consequence of which the entire region lying between the Yarmouth settlement and the present limits of Eastham was, in March, 1640-1, reserved for the "purchasers or old comers," so called, of the colony. As this reservation extended across the Cape from sea to sea and included Monomoit, now Chatham, it will be necessary to examine carefully the transaction, especially as the records of it are rather unsatisfactory.

First, it will be necessary to explain at some length who the "purchasers or old comers" were.

When the Pilgrims, in their exile at Leyden, decided to plant a colony in the New World, they first undertook to

2. Plymouth Colony Records I, 57

interest certain merchants or capitalists of London in their enterprise, for they were not men of large means. As a result of negotiations, an agreement was entered into between the merchants or “adventurers,” as they were styled, who put capital into the scheme, on the one side, and the colonists or “planters” on the other side. This agreement,³ dated July 1, 1620, contains, among other provisions, the following :

“The persons transported & ye adventurers shall continue their joynt stock & partnership together, ye space of 7 years, (excepte some unexpected impedimente doe cause ye whole company to agree otherwise) during which time, all profitts & benifitts that are gott by trade, traffick, trucking, working, fishing, or any other means of any person or persons, remaine still in ye comone stock untill ye division.

“That at ye end of ye 7 years, ye capitall & profits, viz. : the houses, lands, goods and chatles, be equally devided betwixe ye adventurers and planters.

“That every person that goeth being aged 16 years & upward, be rated at 10 li, and ten pounds to be accounted a single share.⁴ He that shall carie his wife & children, or servants, shall be allowed for everie person now aged 16 years & upward, a single share in ye devisiion, or if he provid them necessaries, a duple share, or if they be between 10 year old and 16, then 2 of them to be reconed for a person, both in transportation and devisiion. That such children as now goe & are under ye age of ten years, have noe other shar in ye devisiion, but 50 acers of unmanured land.”

It will be seen that, according to this agreement, all those colonists or “planters” who came out under it and remained in the colony till the end of the seven years, became, as a

3. Bradford's History, 28.

4. Anyone might contribute ten pounds in money or provisions and should then have a double share.

body, entitled to one half of all the property, real and personal, in the colony. For the purpose of dividing this one half among them, each head of a family was to have a larger portion than a single man, the amount being proportioned to the size of his family and according as he supported them from his own purse or not.

Three ships, the *Mayflower* in 1620, the *Fortune* in 1621 and the *Anne*, with her consort the pinnace, *Little James*, in 1623, brought out passengers for the colony under this agreement, and none others came out under it during the seven years.⁵ In fact, not all of those on the *Anne* and *Little James* came out under the agreement. A few, notably John Oldham and his followers, came, as Governor Bradford says, "on their perticular," that is, on their own account, having no interest in the partnership,⁶ but they remained only a short time in the colony.

Those who came in these first ships and remained in the colony, became known afterwards as the "old comers" of the colony. It will be seen that, by virtue of the above agreement, they were entitled to one half of the colony property in 1627.

In the natural course of things there would have been a division of the whole property in 1627 between the "old comers" and the London merchants, but shortly before that date, the former took measures to prevent such a disposition of the colony.⁷ They sent out to England Mr. Isaac Allerton with instructions to make the best terms he could for the purchase of the half interest of the merchants. At that

5. The names of those who came in the *Mayflower* are given by Governor Bradford at the end of his History. The names of those who came in the other ships and who identified themselves with the colony, may be found in Plymouth Colony Records X11, 6 and 10.

6. Bradford's History, 100.

7. There had, of course, been various allotments of property in severalty by the colonists during the seven years, as of cattle, farms, etc., but these acts were all subject to the agreement with the merchants, and did not affect the rights of the latter to claim one half of the colony in 1627.

time, by reason of various misfortunes, there were debts of about £1,400 hanging over the partnership, chiefly incurred by the merchants in fitting out trading vessels and in other enterprises for the benefit of the colony, which proved disastrous. The prospects were not encouraging, and the merchants were found willing to sell at a price but little above the amount of the debts, which, it seems, they were to take care of. The sum of £1,800 was agreed upon for their interest.⁸ Upon the return of Mr. Allerton in 1627, his acts were duly ratified by the colonists, and the question then arose respecting the persons who should be allowed to share in the purchase. It was finally decided to admit all the freemen of the colony to the purchase, although there were a few among them who were not agreeable to the elders of the colony, and whom they would gladly have excluded. But the colony was weak and had need of the hearty co-operation of all. Trouble would arise if discriminations were made, and, moreover, those who would, in this way, secure the benefit of the purchase, had endured the early hardships of the colony and might well claim a right to share in any benefits arising from the purchase.⁹ So all the freemen of the colony in good standing were admitted to the purchase. The share of each one, just as in case of the “old comers’” half, was proportioned to the size of his family, but servants were not to be regarded as a part of the family. Those who were thus admitted to the purchase became known as the “purchasers” of the colony. It will be seen that they must have included the “old comers,” who were already entitled to one-half interest in the colony. In fact, they included but few others except the “old comers,” (for very few outsiders had joined the colony permanently dur-

8. Bradford's History, 143. This sum was paid by letting the trade with the Indians for a term of years to certain leading men of the colony, who were willing to pay £1,800 for the right.

9. Bradford's History, 145.

ing the seven years), and, therefore, they are often referred to as "purchasers" or "old comers," as if the terms were synonymous. Strictly, the "purchasers" included a few others besides the "old comers." They included Phineas Pratt, who came from Thomas Weston's colony at Wessagussett, John Shaw, who reached the colony in some unknown way, and six of the London merchants, added in 1628, who had been more zealous in behalf of the colony than their associates. The names of the "purchasers" are preserved in the Plymouth Colony Records. The list is as follows: Mr. Wm. Bradford, Mr. Thomas Prence, Mr. Wm. Brewster, Mr. Edward Winslow, Mr. John Alden, Mr. John Jenney, Mr. Isaack Allerton, Capt. Miles Standish, Mr. Wm. Collyer, Mr. John Howland, Manasseth Kempton, Francis Cooke, Jonathan Brewster, Edward Bangs, Nicholas Snow, Steven Hopkins, Thomas Clarke, Ralph Wallen, William Wright, Elizabeth Warren, widow,¹⁰ Edward Dotey, Cutbert Cutbertson, John Winslow, John Shaw, Josuah Pratt, John Adams, — Billington, Phineas Pratt, Samuell Fuller, Clement Briggs, Abraham Pearse, Steeven Tracy, Joseph Rogers, John Faunce, Steeven Deane, Thomas Cushman, Robert Hicks, Thomas Morton, Anthony Annable, Samuell Fuller, Francis Eaton, William Basset, Francis Sprague, the Heirs of John Crackstone,¹¹ Edward Bumpas, William Palmer, Peter Browne, Henry Sampson, Experience Michel, Phillip Delanoy, Moyses Simonson, George Soule, Edward Holman, Mr. James Shirley, Mr. Beauchampe, Mr. Andrews, Mr. Hatherly, Mr. Wm. Thomas. The last five and Mr. Collyer were the English merchants above referred to.

It will be seen from the foregoing statement that the "purchasers or old comers" became in 1627 the owners of the entire colony. They owned both the real and personal

10. Representing Richard Warren who died in 1628.

11. Who died in 1621, "in the first mortality."

property, everything in fact.¹² It was all held in common, except such parts as had already been divided from time to time by agreement for the general convenience. These people had suffered and struggled and founded the colony and now, as a reward, they found themselves its owners.

As already intimated, the lands then included in the colony were comparatively limited in extent. The patent granted to John Pierce and associates in 1621 was still in force. It fixed no definite boundaries to the colony, but was a grant of as many times one hundred acres as there should be persons already gone and thereafter going to the colony within seven years, who should remain there three years or die after taking ship thence. It also granted 1,500 acres for public purposes. At the most liberal estimate it guaranteed to Pierce and his associates only about 25,000 acres. There was, also, a provision that rent should be paid yearly after seven years at the rate of two shillings for each one hundred acres.¹³

It was not, in fact, a patent suited to the needs of the colony. The necessity of a larger grant was felt, and soon after the purchase from the merchants had been completed, steps were taken to secure additional territory. As a result of these efforts, the so-called Bradford patent was obtained from the “Council for New England” in January 1629-30. It ran to Governor Bradford and “associates,” for the reason that the expense of securing it had been borne by a few of the leading men of the colony, who held the title until the “purchasers or old comers,” for whose benefit it was clearly obtained, should be able to reimburse them. It granted the lands free of rent.¹⁴

12. The “purchasers” bought from the merchants “all & every ye stock, shares, lands, merchandise and chatles whatsoever” to the merchants or “ye generalltie” of them belonging. Bradford's History, 143. See also the extract from the agreement of 1620 already quoted.

13. For this patent, known as the Pierce patent, see Davis, Ancient Landmarks of Plymouth page 40; also Mass. Hist. Coll., (4th Ser.), II, page 158.

14. This patent may be found in substance in Plym. Col. Rec. XI, 21.

With more ample territory and rights secured, the colony now entered upon a period of accelerated growth and prosperity. New settlements were established near the parent town, as at Duxbury, Scituate and Marshfield, and these were soon followed by the settlements upon the Cape already mentioned. Affairs proceeded harmoniously for a time, but as the new settlers increased in numbers, complaints began to be heard because the lands in the colony were held and controlled by a few of the old inhabitants. To be sure, the Colony Court had assumed to grant lands to numerous individuals and to towns, but it had no authority in law to continue the practice, if objection was made by the "purchasers or old comers," and, indeed, when the question of its authority began to be discussed, it ceased its grants altogether. The new settlers insisted that the lands ought to be owned by the colony as a whole, the holders of the Bradford patent, of course, expected reimbursement for their outlay in securing it, before they would consent to surrender it, and the "purchasers or old comers," as owners of the Pierce patent and as founders of the colony, who had labored and suffered for its success in its earliest years, thought themselves entitled to special consideration. The whole matter was thoroughly discussed and finally an agreement was reached in 1640, by which the colony as a whole was to reimburse those who had paid out money for the new patent, the "purchasers or old comers" were to select two or three tracts or "plantations" for their own use and benefit, and the remaining lands included in the patent were to be surrendered to the Colony and thereafter to be disposed of by the General Court.¹⁵ Under this agreement

15. Plym. Col. Rec. II, 4, 10; XI, 17. "Whereas up[on] a p[ro]posicion made by the Grand Inquest at the genrall Court held the fift day of March 1638 by what vertue & power the Govnr and assistants do give & dispose of lands either to pticular p[er]sons or Townshippes and Plantacons, whereupon ever since there hath beene a Cessacon of the graunt of lands to any p[er]sons by the Govnr: And now upon hearing and debatinge the controversies, matters and differences about and concerning the same in the Publick court, and whereas

the “purchasers or old comers” made their selection and when, in March 1640-1, the actual surrender of the patent to the colony was made by Governor Bradford, three “plantations” were excepted from the surrender and reserved to them and their heirs forever. One of these “plantations” is described as a tract of land extending “from sea to sea” across the Cape or “neck of land,” as it is called, and “from the bounds of Yarmouth three miles to the eastward of Naemskeckett.”¹⁶

This was the *original* “reserve” or reservation of the “purchasers or old comers” upon the Cape. It embraced a large tract, of which Monomoit was a part. Its bounds on the west, between it and Yarmouth (which then embraced a

there was a large sume of money disbursed by those that held the trade, viz.: Mr. Bradford, Mr. Prence, Captaine Standish & the rest of their ptners for the enlargement of the Patent of New Plymouth in New England, In consideration that all controversies & differences about the same may hereafter cease and determine whether betwixt the Purchasers, old commers, freemen or others about the same, The court hath by mutuall assent & consent of all as well purchasers, Old Comers or freemen enacted & concluded that there shal be three hundred pounds sterl (or so much as shal be required not exceeding the said sume of three hundred pounds) paid to those that held the trade viz.: Mr. Bradford, Mr. Prence, Capt. Standish and the rest of the ptners towards the enlargement of the said Patent, if the same shal be required out of the psonall estate of the said Mr. Bradford, Mr. Prence, Capt. Standish & the rest of the ptners wch said three hundred pounds or lesser sume shal be leyved upon the plantacons by such equall way as shal be thought meete, And that they Purchasers or Old Comers shall make choyce of two or three places for themselves & their heires before the next December Court & that after such choyce made and established, all the residue of the lands not formerly granted forth either to plantacons or pticular psons shal be assigned & surrendered into the hands of the whole Body of the freemen to be disposed of either by the whole Body or by such psons as shal be by the whole Body of freemen assigned & authorized, And that all lands already granted either to plantacons or pticular psons shall stand & remaine firme to them their helres & assigns for ever to whom they are so given & granted, March 1639-40.” Plym. Col. Rec. XI, 34.

16. Naemskeckett or Namskaket is the locality on either side of Namskaket River.

Of the other two “plantations” reserved, one is described as extending from a point two miles west of Acconquesse alias Acokens [Westport] River “to another place called Acqussent [Acushnet] river * * * and two milles to the eastward thereof and to extend eight miles up into the countrey.” It embraced the tract which later became the old town of Dartmouth (now Westport, Dartmouth, New Bedford, Fairhaven, and Acushnet). The other “plantation” extended “from Sowamset River to Patuckquett River, with Caumpst neck, which is the cheefe habitation of the Indians & reserved for them to dwell upon, extending into the land eight milles through the whole breadth thereof.” This tract bordered on Narragansett bay between Warren river and Pawtucket river and embraced land now partly in Rhode Island and partly in Massachusetts, Plym. Col. Rec. II, 4.

larger territory than now), were established in June, 1641, and extended from Bound brook or Quivet creek, the present boundary between Dennis and Brewster, southeast to a point just east of Allen's harbor (Harwichport).¹⁷ Its northeasterly or northerly bounds were never definitely settled, but as they were three miles east, or more properly northeast,¹⁸ of Namskaket, it will be seen that they must have been somewhere near the present southern limits of Eastham. They were never definitely settled for the reason that in 1644, only three years after the reservation of the tract as already stated, that part of it east or northeast of Namskaket was surrendered by the "purchasers or old comers" to the intending settlers at Nauset (later Eastham or Old Eastham).¹⁹ The exact line, separating the new town of Nauset from the remaining lands of the "purchasers or old comers," was not at that time determined, though its location in a general way was evidently understood.²⁰ In 1654 Namskaket river, so far as it ran, was called the boundary,²¹ but not until 1682 was the remainder of the line agreed upon. As then fixed, it extended from Namskaket river to Arey's pond and thence to Pleasant bay.²²

17. Plym. Col. Rec. II, 19; Mr. Josiah Paine in Deyo's History of Barnstable Co., 830. It will be seen that Yarmouth at this time included the present Dennis and a small part of Harwich and Brewster.

18. The words "from the bounds of Yarmouth three miles to the eastward of Naemskecket" are, undoubtedly intended to describe the extent of the tract on Cape Cod Bay, and the words, "from sea to sea," the depth of it.

19. "So as, with ye afforesalde provissos, ye greater parte [of the Plymouth Church] consented to a removal to a place called Nawsett, which had been superficially viewed and ye good will of ye purchassers (to whom it belonged) obtained, with some addition thereto from ye Courte." Bradford's History, 261; see also Plym. Col. Rec. II, 81.

20. Plym. Col. Rec. V, 39. Naamecoyke, at Potanunnaquut, was understood to be a part of the "reserve," near the Eastham boundary.

21. Plym. Col. Rec. III, 53.

22. "An agreement and final settlement of the bounds between the inhabitants of the town of Eastham and the Purchasers on the westerly side of the town, from Namskaket River over the neck of land to the eastern sea, namely:—Beginning at the mouth of Namskaket River, the middle of the river, so up along as the river runs to the head, taking in the southernmost arm at the head to a marked tree or stone there, being a bound formerly set between the town and purchasers there; and so from that bound mark to run upon a straight line to the head of Portanunquut salt water pond to a spring running out of a swamp, and so to the mouth of the river that runs out of the

For all practical purposes, the "reserve" from the date of the settlement of Nauset may be considered as embracing everything between this line and the Yarmouth line already described, or in other words, it comprised Potanumaquitt (South Orleans), Monomoiit and the greater part of the present Harwich and Brewster.²³

pond, and so as the river runs unto the bay, and so directly over the bay to the Middle Harbor or Portonumquott Harbor or place of said harbor, where the main channel comes out unto the sea, the purchasers excluding any part of the upland of Portanumquott two islands, so called, and the town of Eastham doth relinquish any right as to virtue of purchase to any lands on the westerly side of the aforesaid bounds." July 31, 1682. Eastham Records, Vol. I.

23 The above conclusions respecting the limits of the "reserve" have been reached only after careful consideration. Some have thought that the "reserve" included only the present Harwich and Brewster. Rev. Mr. Freeman, in his History of Cape Cod, (I, 152) says that it "comprehended the ancient Eastham, with what was afterwards Orleans and Brewster," a statement rather confusing, as ancient Eastham included nearly all of Orleans and at one time a large part of Brewster also. Judge Davis (Morton's Memorial, Appendix, 405) with substantial accuracy states that it comprehended "Eastham, Orleans, Brewster, and, it is believed, Harwich and Chatham."

(a). There is plenty of evidence that the greater part of Harwich and Brewster were in the "reserve," and the statement of Governor Bradford, (see note 14) himself the head of the "purchasers," is conclusive that some of the lands acquired and settled upon at Nauset were within the "reserve." If, then, the lands on each side of Monomoiit where land is to be found, were within the reserve, the presumption must be strong that Monomoiit was included. This presumption is strengthened by a comparison of the descriptions of the three "plantations," as given in the Colony records. It will be seen that in each description the boundary on the sea is given and then the distance which the tract extends back from the sea is stated, showing, of course, that it was to extend back the same width as at the seashore. In case of two of the "plantations," the depth from the shore is stated to be eight miles, but as eight miles from the north shore of the Cape would, in case of the Cape "plantation," cover all the land to the south shore in most places, that "plantation" is said to extend "from sea to sea," and the description must be held to include everything from one side of the Cape to the other.

(b). There is further and stronger evidence to the same effect. It is stated in the Plymouth Colony Records (IV, 59) that the purchase of Monomoiit lands from the Indians in 1656 by William Nickerson was "to the prejudice of many the more ancient inhabitants and freemen of this jurisdiction." These words exactly describe the "purchasers or old comers." If the Monomoiit lands had been surrendered to the colony in 1640 and were outside the "reserve," the purchase by Mr. Nickerson would have been to the prejudice of *all the* inhabitants and freemen of the Colony, not "many the more ancient" of them.

(c). Monamesset or Strong Island, near Monomoiit, and all the flats, sedge ground, and beach lying east of it to the ocean, was a part of the "reserve." This tract was known as the Strong Island purchase or propriety and lay between the "Seven Share" purchase, so called, on the north and the Monomoiit Great Beach purchase on the south. It was acquired by Jeremiah Howes of Yarmouth by two deeds from the Indian owners. His first deed, dated August 13, 1689, and recorded in Old Barnstable Deeds Book I, p. 52, was given by Josephus Quason of Yarmouth, a grandson of Mattaquason, sachem of Monomoiit, and conveyed to Mr. Howes thirty acres of upland and marsh, "and is the biggest

Having now ascertained who the "purchasers or old comers" were and what were the limits of the territory reserved to them, it remains only to consider what their rights in the tract were.

Obviously, if they had found the lands abandoned or unclaimed, as the Pilgrims did at Plymouth, this reservation to them, derived under the patent, would have given them complete title, but when they already found the Indians in possession and claiming the soil, their title under

half part of an Island lying & being in Monomessett and is known by the name of Monomessett or Strong Island & is the southernmost part of said Island & extends northerly to a place called by the Indians Catonon & so to a salt pond lying on the northwest side of said Island, at or near which place upon a line across said Island from East to West is the division." His second deed, dated February 26, 1691, was given by John Sipson, Indian, and conveyed to him the remainder of said Island and the tract lying east of it to the ocean. By deed dated October 5, 1697, Mr. Howes conveyed these tracts to Thomas Freeman of Harwich and the latter, deeming very properly that his title was not complete, obtained from William Bradford, son and heir of Governor Bradford, grantee named in the Patent or Royal Grant of 1630, a release of all interest which the "purchasers or old comers" might claim in his purchase. This release, dated June 20, 1701, conveyed to Mr. Freeman all the right of said Bradford in the aforesaid tracts "falling or occurring to me or my heirs from the right or title of sd William Bradford deceased, derived to him from the royal charter or grant of his late Majesty King Charles the First by letters patent bearing date the thirteenth Day of January in the fifth year of his Majesty's reign Anno Domini 1629" [—30].

The following call for a meeting of the proprietors at a later date, also, shows that the tract was considered a part of the "Royal Grant" or "purchasers" land.

"These are to notify the owners and proprietors of the Beach called Monomoit Great Beach and owners of the Island called Cothplinnicut or Ram Island to meet the committee or agents chosen by the Strong Island propriety at the Dwelling house of Joseph Doane, Esq., in Chatham on Monday the sixth Day of September next at nine of the Clock in the morning to Run the Range and Renew bounds Between the proprietors of the sd Monomoit Great Beach and the owners of sd Cothplinnicut Island on the one side and the proprietors of Strong Island or owners of the purchase called the Royal Grant on the other side."

Orleans, August 20th 1802.

Judah Rogers } Committee
Ensign Nickerson } Agents.

(Osborn Nickerson papers.)

(d). When in 1711 those claiming under the "purchasers or old comers" in Harwich and Eastham purchased the greater part of the present Harwich, they purchased also Monomoit Great Beach or such title as the Indians could then give. They had no right to purchase this beach without consent of the Colonial authorities, unless it was included in the "reserve." They claimed to purchase it by virtue of the *Royal Grant*. It is impossible to suppose that these people who clearly had a legal right to purchase the tract at Harwich, and who naturally insisted that the law forbidding purchases of the Indians without consent of the authorities should be strictly observed, would by the same deed go out of their way and violate that law by purchasing land which they had no authority to purchase. It seems, therefore, established that all the land around Monomoit was in the "reserve." The conclusion is irresistible that Monomoit was also a part of it.

the patent was necessarily subject to the Indian rights, whatever they might be. As the Pilgrims from the first conceded that the Indians were rightful occupants of the soil and always paid them for their rights, it will be seen that the "purchasers or old comers" must buy out the Indians before obtaining complete title.²⁴

The effect of the reservation to them was to give them full right to the land as against everybody, except the Indians, and it also, undoubtedly, gave them the exclusive right to purchase the Indian rights. Had they been able seasonably to exercise their right of purchase, many of their subsequent troubles regarding these lands could not have arisen, but that they did not do so, was quite natural under the circumstances. The tract was at that time an outskirt of the Colony, but little known. Moreover, the "purchasers or old comers," as we have seen, were the founders or earliest settlers of the colony, who had homes of their own established at Plymouth and adjoining localities. They were not intending settlers on the "plantations" reserved to them, nor concerned to promote their immediate development. They had received these lands by way of compensation for their rights under the Pierce patent and in recognition of their zealous efforts and sufferings in the infancy of the Colony, and they, doubtless, believed that the advantages of the reservations might accrue to their children or grandchildren, but not to themselves.

After the settlement of Yarmouth, the Cape "reserve" was, of course, visited more frequently than before by the white man. Curiosity or trade with the Indians, doubtless, first led the Yarmouth settlers to explore the region. Later the possibility of finding a stranded whale along the coast may have attracted them thither. In the fall of 1641

24. It was the proud boast of Governor Josiah Winslow in 1676 that "before these present troubles broke out, the English did not possess one foot of land in this Colony, but what was fairly obtained by honest purchase of the Indian proprietors."

Edward Holman of Plymouth seems, also, to have been a visitor there. He found a chest of goods upon the Monomoit shore, cast up from some unknown shipwreck, which he caused to be transported to Yarmouth, and later to be delivered to the public authorities at Plymouth.²⁵

In 1645 the settlement of Nauset (Eastham) was begun, and within a short time the Indian trail along the north shore, from the Yarmouth settlement across the "reserve" to the new village at Nauset, must have been frequently traversed by the white man. It must have soon developed into a well-defined bridle path and later, as the two settlements grew, into a substantial road.

For nearly fifteen years the Yarmouth community and for nearly ten years the Nauset settlement prospered, before any real attempt was made to develop the wide tract lying between them. Over it the Sauquatucketts and Monomoyicks roamed as formerly. The former tribe occupied the greater part of what is now Brewster, the latter tribe claimed the remaining part of the tract. The principal villages of the Monomoyicks were found around Pleasant Bay. Their chief, as early as 1643, was Mattaquason, who continued in that position over twenty years, and probably until his death. From him, in 1644, the intending Nauset settlers purchased the greater part of what is now Orleans, and his domain extended west to Herring River. From him

25. "Edward Holman's demands for his paynes about a chest of goods found at Mannamoylt,

	H.	s.	d.
For fetchling the chest to Yarmouth,	00	05	00
For charges of an Indian at boat side,	00	06	00
For fetchling the chest after to Barnes,	00	05	00
For a hatchet given to the Indn,	00	01	06
For drying the goods at the boatside,	00	12	00
For bringing the chest to Plym.	00	08	00
	—	—	—
	01	17	06

besides XVI s. allowed Mr. Simpkins for washing & drying of the goods, which was pay'd out of the goods."

John Whelston of Scituate and Joshua Barnes of Yarmouth appear also to have obtained a portion of the goods in some way. Plym. Col. Rec. 11, 35.

the Sipsons, John and Tom, doubtless acquired Potanumquint and vicinity.

The first active movement of the "purchasers or old comers" to utilize the three "reserves" belonging to them, appears to have been taken in March, 1652. More than a decade had then passed since their rights had been acquired, and in that time some had died and their interest had passed to their heirs, while others had sold to outside parties, who had been admitted to an interest. Those who were then interested met on March 7, 1652, and agreed upon a division of the three "plantations" among themselves. The holders of about nine shares took their proportions in the Narragansett Bay "reserve," the holders of thirty-four shares took theirs in the "reserve" later forming the old town of Dartmouth, and the remaining "purchasers or old comers" became proprietors of the Cape "reserve."²⁶ Those to whom

26. "The names of those whoe by order of and agreement of the purchasers mett at Plymouth to make Purchase and Division of the Lands as are at Sowamsett and Mat-tapoisett the 7th of March 1652 whoe are to have theire several ptes or moyeties Layed out att the places above expressed; And are to make and to satisfy the purchase and all other charges arising thereupon according to theire severall proportions. Theire names are as follow: Mr. William Bradford one moyette, Mr. Thomas Prence one halfe pte, Mr. Edward Winslow all his portion, Capt. Myles Standish, his halfe pte, Cap Thomas Willett his pte, Mr. White his pte; Mr. Cushman, his whole pte; Mr. John Winslow, all his pte; John Addams, his whole proportion; Experience Mitchell, his half pte; Thomas Clarke, his halfe pte." *Plym. Col. Deeds, II (Pt. I) 39.*

"The names of those whoe by order of the Purchasers mett att Plymouth the seaventh Day of march 1652 whoe by Jovnt consent and agreement of the said purchasers are to have theire ptes shares or proportiouns att the place or places commonly called and knowne by the names of Acushena alias acquessent which entereth in att the western end of Neckatay and to Coaksett alias acoaklus and places adjacent; the bounds of which Tract fully to extend 3 milles to the Eastward of the most Easterly prte of the river or Bay called Acushena aforsaid; and soe alonge the seaside to the river called Coaksett; lying on the west side of point prill and to the most westernmost side of any branch of the aforesaid river and to extend eight milles into the woods; The said Tract or tract[s] of Land soe bounded as abovesaid which is purchased of the Indians which were the right propriators therof; as appeers by a Deed under theire hands with all the marshes meddows rivers waters woods Timbers; and all o'ther profits privilldges emunities comodities and appurtenances belonging to the said Tract or Tracts above expressed or any prte or pcell therof to belonge unto the prtles whose names are underwritten (whoe are in number thirty four whole ptes or shares and noe more) to them and theire heires and assigns for ever; Mr. Willam Bradford one whole prte or share; capt: Standish one whole prte or share; Mr John Alden one whole prte or share; Mr Collyar and Sarah Brewster one whole prte or share; Mr howland and Willam Bassett one whole prte or share; Gorge Morton one whole prte or share; Mannasses

the Cape reserve was thus allotted, were Governor Bradford, Thomas Prince, Edward Bangs, Nicholas Snow, Thomas Clarke, Joseph Rogers, Giles Hopkins, Stephen Deane, Experience Mitchell, John Howland and William Collier. The greater part of these were residents of Eastham.²⁷

Not long after this division the first effort was made to extinguish the Indian title. A purchase of the tract lying between Quivet Creek and Sauquatuckett River was made from the Indians, and in 1653 this tract was divided into lots and the lots assigned to individual owners. The same year a large tract, extending from central Brewster east to Namskaket meadows and from the seashore southerly to the Long Ponds, was purchased of Wono and Sachemas, his son, sachems of Sauquatuckett. These two tracts together comprised the greater part of the present town of Brewster.²⁸

For aught that appears, it was several years after these events, before any settlement was begun on either of these tracts. Indeed, there is very little evidence to show that before 1660 a single resident had established himself in any place between Quivet Creek and Monomoy Point, although for nearly twenty years settlements had flourished on either side.

Kemton one whole share; James Hurst one whole share; John Dunham senior one whole share; John Shaw senior one whole share; Francis Cooke one whole share, John Cooke one whole share; Joshua Pratt one whole share; Gorge Soule one whole share; Constant Southworth one whole share; Thomas Southworth one whole share; Mis Jenings one whole share; Steven Tracey one whole share; John France one whole share; Henry Sampson one whole share; Phillip Delanoy one whole share; Mis Warren one whole share; Robert Bartlett one whole share; Willam Palmer one whole share; Edward Dotye one whole share; Samuell Hickers one whole share; Peeter Browne one whole share; Francis Sprague one whole share; Moses Simons one whole share; Samuell Eaton one whole share; Thomas Morton one whole share; Samuell Cutbert one whole share; Edward Holman one whole share; Edward Bumpase one whole share; In all thirty four partes or shares;" Plym. Col. Deeds, II. (Pt. I) 107.

There is no record in the Colony records so far as I know, of the names of those who took the Cape reserve.

27. See article on Brewster by Mr. Josiah Paine in Deyo's History of Barnstable Co., also Dudley, Directory and History of Plymouth and Barnstable Counties, 126.

28. See Mr. Paine's article above referred to.

CHAPTER V.

WILLIAM NICKERSON AND THE SETTLEMENT OF MONOMOIT.

SUCH was the situation when, in or about the year 1656, William Nickerson,¹ one of the early settlers of Yarmouth, living not far from the "reserve," desiring to provide more amply for his family, entered into a bargain with Mattaquason, the sachem of Monomoit, with regard to his land at that place. There seems to have been no clear understanding between them as to the limits of the land bargained for, nor was any deed or writing passed between them.² He gave the Indians a boat and they promised him some land. This act was not only an invasion of the rights of the "purchasers or old comers," but was a violation of the law forbidding sales to and purchases from the Indians without consent of the Plymouth Colony Court.³ It is clear, however, that Mr. Nickerson did not fully understand the law when he made the bargain. He admitted the purchase, but claimed no intention of violating the law.⁴ Ig-

1. The name was formerly frequently written Nicarson, sometimes Nicholson. He himself appears to have written it Nickerson.

2. Plym. Col. Rec., IV, 162.

3. The statute relating to purchases of land from the Indians, passed in 1643, reads as follows: "If any person or persons do hereafter purchase, rent or hyre any lands, herbage, wood or tymber of any of the natives in any place within this Government without the consent & assent of the Court, every such person or persons shall forfeit five pounds for every acre which shal be so purchased, hyred, rented and taken." Plym. Col. Rec., XI, 41.

4. Dec. 1, 1663 William Nickerson, being summoned to Court to answer for purchasing land of the Indians at Monomoit, "owned the same but sayed that hee had done the same of ignorance &c" (Plym. Col. Rec., IV, 49.)

May 3, 1665. "If I had knowne that the order [i. e. statute] would have bine soe understod, I should not have done it." Statement of William Nickerson in Plym. Col. Rec., IV, 87.

norance of the law, however, then as now, was no excuse. The Colony Court found him guilty. He then sought to set himself right with the authorities by petitioning them in the usual way for leave to make the trade, but they would allow him to keep only a portion of his alleged purchase. They evidently felt that he should incur some penalty for his action, even though he had acted in good faith and through ignorance. The majesty of the law must be vindicated. Probably the fact that his purchase was a very large one and was prejudicial to the "purchasers or old comers" likewise operated to his disadvantage. When he found that the authorities would not allow his claim, he offered to resign the property to his children, but without securing any better terms. Later, he appealed his case to the representatives of the King and was again unsuccessful, but finally obtained what he desired by purchase from those to whom the Court granted the tract.

Inasmuch as, during this controversy, he settled upon a part of the land bargained for and became the founder of the village of Monomoit, a brief account of his career may be appropriate. William Nickerson was born in 1603 or 1604. His father's name was probably Robert. He learned the trade of a weaver and settled in Norwich, Norfolk County, England. He married Anne, daughter of Nicholas Busby, somewhere about 1630 and four children were born to them before 1637, the date of his emigration to New England.⁵ He was led to abandon England by the persecutions of Matthew Wren, then Bishop of Norfolk, whose zealous efforts against Non-conformists within his jurisdiction made their lives miserable. History informs

5. "The examination of William Nickerson of Norwich in Norfolk, weaver, aged 33, and Anne, his wife, aged 28, with four children, Nicho. Robartt, Elizabeth, Anne, are desirous to go to Boston in New England, there to inhabit, April 8, 1637." Hotten's Lists of Emigrants, 290.

Five other children were born to them in New England, Samuel, John, Sarah, William, (bapt at Barnstable June 1, 1646) and Joseph (born at Yarmouth Dec. 1647.)

us that one of the charges brought against Bishop Wren by a Committee of Parliament was that, during the term of two years and four months, while he held the See of Norwich, "3,000 of his Majesty's subjects, many of whom used trades, spinning, weaving, knitting, making cloth, stuff, stockings and other manufactures of wool, some of them setting a hundred poor people at work," "transported themselves into Holland," and "*other parts beyond the seas*" in consequence of his "superstition and tyranny." Michael Metcalf, himself a weaver of Norwich and a fellow passenger with William Nickerson, writes "I was persecuted in the land of my father's sepulchres for not bowing at the name of Jesus and observing other ceremonies in religion, forced upon me at the instance of Bishop Wren of Norwich and his Chancellor Dr. Corbet, whose violent measures troubled me in the Bishop's Court and returned me into the High Commissioner's Court." "My enemies conspired against me to take away my life and, sometimes, to avoid their hands, my wife did hide me in the roof of the house, covering me over with straw."⁶ It was to avoid such persecutions that, on April 15, 1637, a company from Norwich and vicinity (including William Nickerson and family) took ship at ~~Norwich~~ ^{Yarmouth} and sought the protection of the New World.⁷ They arrived safely at Salem on June 20 following,⁸ and the

6. N. E. Hist. & Gen Register, VI, 171.

7. Of this party of emigrants was, also, Samuel Lincoln, the ancestor of the Martyr President. He was then eighteen years of age and came with the family of Francis Lawes, to whom he was apprenticed. Mr. Charles Carleton Coffin in his Life of Lincoln describes the situation as follows: "The bishop preached that the King could do no wrong. Charles wanted money, and levied taxes without consulting Parliament. The Puritans who would not pay, together with those who would not accept the ritual prepared by the bishop, were arrested—so many that the jail and Guildhall in Norwich were filled. The persecution of the bishop and the arbitrary acts of the King made life so bitter that thousands of Puritans quit England forever. Many of the people of Norfolk and Lincoln counties had sailed for Massachusetts; others were ready to join them. The ships *Rose* and the *John* and *Dorothy* were at Yarmouth preparing to sail. Francis Lawes resolved to become an emigrant, and it seems probable that Samuel Lincoln was ready to join his brother who had settled in Hingham near Boston. We see them travelling across the meadows and lowlands, with others, to Yarmouth town. Together the ships sail across the Atlantic to drop their anchors in Salem Harbor."

8. Winthrop, History of New England I, 271.

greater part of them dispersed to various parts of the Colony. Unfortunately, the movements of William Nickerson and his family for the next few years are largely a matter of conjecture. He took the oath of a freeman at Boston on May 2, 1638, but it is not likely that he was a resident there. Mr. Savage, the learned antiquary, conjectured that he went to Watertown, where his father-in-law and family, passengers on the same ship with him, finally settled after a short stay at Newbury.⁹ He was of Yarmouth as early as 1640, the year after its settlement, and in June 1641 represented that town on the "grand enquest," or grand jury of the Colony.¹⁰ His house and farm were near Little Bass pond, now called Folland's pond, where James Maker, James Matthews, and several other early settlers of the town located, perhaps on account of the advantage which the situation afforded for taking fish.¹¹

The matter of the allotment of lands at Yarmouth was the cause of serious trouble in the early history of the town. The original grant from the Plymouth Court was made to four persons, three of whom, Mr. Anthony Thatcher, Mr. Thomas Howes, and Mr. John Crowe, were among the first settlers. These three held the lands in trust to apportion them among such persons as should be admitted to settle in the town. They were known as the "committees of the plantation." Against their action in parcelling out the land, complaints were repeatedly made by some of the inhabitants and finally, in March 1647-8, the Court deputed Capt. Myles Standish to visit the town and compose the differences which had arisen. In May following, after hearing

9. Savage, Genealogical Dictionary III, 284; Coffin's History of Newbury.

10. Plym. Col. Rec., II, 16.

11. Conn. Quarterly (1897) 355.

"He sold his house and land after his removal to Chatham [Monomolt] to James Matthews. I have his deed. His signature is a good one." Amos Otis, Esq., in a letter to Mr. Josiah Palne dated June 22, 1864.

the parties, Capt. Standish made grants of land to various persons (among them a grant of ten acres of upland and eight acres of meadow toward the South sea to William Nickerson),¹² and it was then and there agreed between the "committees of the plantation" and representatives of the town, that there should be added to the "committees" three other persons representing the town and that no disposition of lands should thereafter be made without the consent of these three or two of them. Mr. Star, William Nickerson and Robert Dennis were selected to represent the town for that year, and their successors were to be chosen each year at the annual town meeting.¹³ The differences concerning these lands continued for a long time to agitate the people of Yarmouth, and out of them probably grew a number of suits for slander and defamation by and against William Nickerson and others, which occupied the attention of the Court in October, 1650. The result of the proceedings was that all parties were ordered to pocket their injuries and discontinue their suits, though the Court desired Mr. Nickerson to see the evil of his offensive speeches against sundry of the town.¹⁴

In June, 1651, we find him serving as a juror at Plymouth in the trial of civil cases,¹⁵ and in 1655 he was honored by his townsmen by an election as a deputy from Yarmouth to the Colony Court, his associate being Mr. Edmond Hawes.¹⁶ This election shows that his standing in the community had not been affected by his differences with the leaders of the town.

In the following year (1656) we find the beginning of his troubles over the land at Monomoit. It is recorded that, at the June session of the Court at Plymouth, William

12. *Plym. Col. Rec.* II, 129.

13. *Plym. Col. Rec.* II, 130.

14. *Plym. Col. Rec.* VII, 50.

15. *Plym. Col. Rec.* VII, 54.

16. *Plym. Col. Rec.* III, 79.

Nickerson appeared, "being summoned to answere for his buying of land of the Indians contrary to order" or statute.¹⁷ He had, also, violated the injunctions of a warrant directed to Yarmouth, forbidding sales to the Indians, having left a boat "to bee the Indians'." The Court declared, "concerning his breach of order in buying of the land, hee lyeth under the fine and penalty expressed in the order for the breach thereof, [i. e. five pounds per acre] and for his contempt of the warrant hee is disfranchised his freedome."¹⁸

The fine so imposed the Court appears to have been in no haste to collect. Mr. Nickerson had, however, found that he could not make the purchase without consent of the Court and his next move was taken with the intention of complying with the law, as the Court had interpreted it. We, therefore, find him petitioning the Court in June, 1657, in the regular way, for "libertie to injoy the land hee purchased att Mannamoiett," whereupon it was ordered that the land there be viewed by a committee appointed by the Court and that upon their report he should have "a competency or proportion out of it allowed unto him and then to resigne up the remainder unto the Court."¹⁹ This result was not satisfactory to the petitioner, but he took no further action at that time.

Several months previous, in March 1657, he had removed with his family to Boston, in order that his wife might be able to care for her parents in their old age. They had resided there but a few months, when the father, Nicholas Busby, died, the exact date of his death being August 28, 1657. Mr. Busby left a considerable property, out of

17. The following is the local tradition regarding this purchase, as stated to me by *the* Rufus Smith, Esq., formerly Representative from Chatham: "When Nickerson bought the land of the Indians, their chief lived back of where the house of Christopher Ryder now stands. After the bargain was made the Indians were to retire to their wigwams and wait three days. If a bear should come, it was a sign of trouble and it would be no trade; but if a deer should appear, it was a sign of peace and all would be well."

18. Plym. Col. Rec. 111, 101.

19. Plym. Col. Rec. 111, 120.

which he bequeathed his daughter, Anne Nickerson, the sum of 50 pounds and his "thicke bible." He appointed his three "sonnes that are heere in New England," Abraham Busby, William Nickerson, and John Grout, to gather up all his "debts," which were in his "debt bookes," and to pay over the proceeds to his widow, whom he appointed executrix of his will.²⁰ About a month after Mr. Busby's decease, Mr. Nickerson purchased of Dr. Snelling an estate on the east side of the road leading to Roxbury, consisting of a dwelling house, yard, garden, and orchard.²¹ On this lot he appears to have erected a shop. In September, 1659 he acted as appraiser of the estate of Philip Long of Boston. The widow Busby survived her husband nearly three years, her death occurring in July, 1660.²² After the settlement of her estate, he sold his house, in November, 1661, to Robert Gibbs of Boston,²³ and returned to Yarmouth, appearing as a resident there as early as January, 1661-2.²⁴ We find him mentioned, also, in the following August as bringing a barrel of liquor into that town,²⁵ an act of no discredit in those days, when every family had its supply of liquor, and in March, 1663, we find him attempt-

20. Suffolk Probate Records I, 294. From the number of books of "phsick" mentioned in his will, it appears that, in addition to his occupation as a weaver, Mr. Busby had acquired some skill and practice as a physician.

21. Suffolk Deeds III, 242.

22. "My wife cam to boston the furst of March 1657 and my wife did sarves to hur father and mother till the later end of August following, and then hur father departed this life. And since hur fathers death my wife have don sarves to hur mother dayly and waching with them in the night, as ther necessitie called for untill hur mother departed this life: which was in July last 1660, all which time my wife did sarves to hur father and mother, and the tm being somed up it contain three yeares and four monthes or there aboute. And for as much as my wife was dleted at my tabell in that time she did them sarves * * *." Feb. 26, 1660-1. Extract from defendant's reasons of appeal in *Busby v Nickerson*. Files Superior Court of Judicature No. 392.

23. Suffolk Deeds III, 518 a.

24. Old deed, William Nickerson to Elizabeth Eldred, dated Jan. 15, 1661-2. (See note 28.)

25. Plym. Col. Rec. IV, 28.

ing to recover a share of the whales taken along the shore of the town during his absence.²⁶

During his residence at Boston, he had applied to the Plymouth Court, requesting "the whole tract of land by him formerly purchased of the Indians att Mannomoyett or ther abouts, hee expressing himselfe otherwise not willing to accept of a former graunt of the Court which was to have a competency therof," whereupon the Court, in June, 1659, had ordered that he might have the whole tract, provided he would pay the fine of five pounds per acre for every acre purchased, as the statute required.²⁷ On his return to Yarmouth he took up his plans with regard to the Monomoit lands with renewed zeal. This is shown by a deed, under date of January 15, 1661-2, executed by him, wherein he conveyed to his daughter, Elizabeth Eldred, forty acres of upland and ten acres of meadow at Monomoit, a part near the Oyster Pond furlong and the remainder to be laid out as convenient as may be.²⁸ The following peti-

26. Plym. Col. Rec. VII, 106.

27. Plym. Col. Rec. III, 165.

During his absence in Boston, the following action was taken by the town of Eastham under date of Feb. 8, 1660: "Ordered by the town that Lieutenant John Freeman and Richard Higgins and Thomas Williams shall have the land at Monomoy." I am unable to explain this record. The town had no rights at Monomoit, although many of its leading citizens had as "purchasers or old comers." There is no evidence that these grantees ever asserted any rights under this grant.

28. This is probably the first deed of Monomoit lands ever executed. It reads as follows, covenants omitted:

To all Christian people to whom this present writing shall come, Know ye that I, William Nickerson of Yarmouth in ye Jurisdiction of New Plymouth in New England for divers good Causes & Considerations here unto moving Have given & granted & by these presents do give & grant unto my Daughter Elizabeth Eldred forty acres of upland & ten acres of meadow lands out of ye lands that I purchased of ye Indian Sagamore Mattaquason at Manamoy & there about, part of ye lands lying & being by a swamp near to ye Oyster pond lortlonge; And ye rest of ye lands to be layed out as Convenient as may be for their use. To Have & to Hold to them & their heirs for ever by these presents Have given & granted, aliened, enfeoffed, set over & Confirmed unto ye sd Elizabeth Eldred her heirs & assigns for ever all that part of upland & meadow lands lying & being as above as above sd with all ye priviledges & appurces unto ye same above sd meadows & uplands belonging & all ye Estate, right, title, Interest, properties, use, possessions, Claim & demand wt soever of him ye said William Nickerson in or to ye same or any part or pecl thereof. To Have & to Hold ye sd pecls of uplands & meadow parts & modities in & by these presents given & granted in & by these presents

tion, presented to the Court by himself and his children, further shows his acts and intentions :

“To our honored Gov, Mr. Prence, and the rest of the honored Court, our humble petition which wee, whose names are underwritten, doe present unto your favorable consideration, that for as much as it hath pleased God by his ordering hand of Providence to dispose of things soe that our father in law, William Nicarson, hath purchased a portion of land at Manamoiett or therabouts to accommodate his children and posteritie withall for our comfortable subsisting and that through the blessing of God upon our labors wee might live and not be chargeable hee hath given it unto his children to accommodate us and our posteritie withall; and wee doe not desire to live alone, but are willing to receive soe many inhabitants as there is land to accommodate them with, soe that wee may goe on in a way of peace and love, for the glory of God, and the good and welfare of the government and the enlargement thereof and the good one of another, for the greatest parte of us have bine brought up under this government and our desires are to continew under this government; still, if the Lord shal be pleased to graunt us to find favor with the Court to graunt our request, and our request to the honored Court is that they would be pleased to graunt us libertie to settle a township at Manamoiett or therabouts with as many inhabitants as wee shall see the land will comfortably accommodate, soe that they be townsmen that wee can close with, wee shall willingly receive them, upon the condition that they shall pay their partes of the purchase according as wee shall agree and not otherwaies; and if the Court shal be pleased to graunt our petition, wee shal count it a

expressed to be given and granted unto ye sd Elizabeth Eldred and her heirs for ever.
* * * * * In witness whereof ye sd William Nickerson hath hereunto set his hand & seal ye fifteenth day of January in ye thirteenth year of ye Reign of our Sovereign Lord King Charles The Second & in the year of our Lord God one thousand six hundred and sixty-one.

Signed Sealed & delivered

William Nickerson
and his (seal) seal.

In ye presents of us

Sarah Nickerson

William Nickerson Junr

This 17 January 1682 ye above named William Nickerson Senr made his appearance & acknowledged this above written to be his act & deed, And likewise hath given unto ye sd Elizabeth Eldred to her & her heirs & assigns forever liberty to feed Cattel in ye other of his lands according to proportion before me John Freeman Assistant.

Examined & duly Compared with ye original & entered ye 25th July 1695.

The above & within written is a true Copy as appears of Record Compared

2d Book foll 14.

pr me John Thacher Regr.

(M. L. Luce papers, now in possession of Mr. Benjamin H. Doane, New York City, a lineal descendant of Mr. Thomas Doane, an early settler of the town.)

great favor from God and favor from the Court, thuse hoping to find favorable answare from the honored Court, wee rest.

William Nicarson Senir
 Nicholas Nicarson
 Robert Nicarson
 Samuell Nicarson
 John Nicarson
 William Nicarson Junir
 Joseph Nicarson
 Robert Eldred
 Trustrum Hedges
 Nathaniel Covell."²⁹

The 4th of July 1663.

On this most persuasive petition the Court failed to take any action. Nevertheless, Mr. Nickerson felt reasonably certain of receiving a part, at least, of his purchase, if he chose to accept it, and, therefore, determined to take actual possession of the tract. The exact time when he began the settlement of Monomoit is, unfortunately, not now ascertainable, but it appears to have been early in the year 1664. The foregoing petition indicates that he was not a settler there in July, 1663, but in March, 1664, the Court records (IV, 58) mention him as "retaineing, *possessing* and improveing" the land there. It is, also, unknown how many of his children accompanied him and took part in the settlement of the town. It can only be said that they all soon after appear as residents, except the oldest son, Nicholas, who lived and died at Yarmouth.³⁰

29. Plym. Col. Rec. IV, 153. The last three signers of this petition were sons-in-law of William Nickerson Sen. Robert Eldred m. Elizabeth Nickerson at Yarmouth Oct. 1649. (Plym. Col. Rec. VII, 10); Trustrum Hedges m. Ann Nickerson at Boston Oct. 20, 1657, Governor Endicott officiating, (Boston Records); Nathaniel Covell m. Sarah Nickerson between Jan. 15, 1661-2 and July 4, 1663. (See note 28).

30. For convenience of reference the following items concerning the descendants of Nicholas Nickerson are here presented, although none were residents of the town. *Nicholas 2 (William 1) Nickerson* born about 1630 married Mary _____ probably about 1655. He died at Yarmouth Mar. 26, 1681-2. She died Mar. 16, 1706-6.

Children (Yar. Rec.):

1. Hester, b. Oct. 1656; m. Jonathan White, son of Peregrine, of Marshfield Feb. 2, 1682-3 (Yar. Rec.)
2. William b. Jan. 12, 1658.
3. Elizabeth b. Dec. 1662 (single in May, 1706).

His action moved the Court to more vigorous measures. It had passed an order in June, 1663, that "in due and convenient time William Nicarson bee required to make satisfaction for his breach of the law,"³¹ and in the following December, having summoned him to Plymouth, had required him to answer for his purchase of the land, when he pleaded that he acted "through ignorance, &c."³² It now took measures to collect from him a part of the fine he had incurred. It gave orders to the chief marshal, under date of March, 1663-4, "to levy the sune of two hundred pounds of the goods or chattles of the said William Nicarson's or soe much therof as shal bee found within this government as parte of the penaltie due" on account of his illegal action.³³ The chief marshal attended to his duties, but

4. John b. Sept. 10, 1664.
5. Mary b. July 6, 1668; m. Simon Crosby of Harwich Aug. 27, 1691 (East. Rec.)
6. Sarah b. May 1, 1674, m. John Burgess of Yarmouth about 1694.
7. Patience b. Apr. 3, 1682 (single in May 1706).

William 3 (Nicholas 2 William 1) Nickerson born Jan. 12, 1658, married Mary, daughter of Mark and Jane (Prence) Snow of Eastham, Jan. 22, 1690 (East. Rec.); lived at Eastham till about 1696, then removed to Harwich. His will was proved Jan. 27, 1720-1.

Children (East. and Har. Rec.):

1. Mercy b. Mar. 17, 1691 2; m. Joseph Johnson Apr. 1, 1714. (Har. Rec.)
2. Nicholas b. Mar. 19, 1694-5.
3. Ebenezer b. June 13, 1697.
4. Jane b. Apr. 6, 1699, m. Judah Baker of Yarmouth June 18, 1724 (Har. Rec.)
5. Mary b. Aug. 13, 1701; m. James Harding Oct. 8, 1724, (Har. Rec.)
6. Thankful b. July 26, 1705, m. Benjamin Burgess June 15, 1727.

(Freeman (History of Cape Cod) mentions son William but records do not show it.)

John 3 (Nicholas 2, William 1) Nickerson, born Sept. 10, 1664, married Elizabeth Baker of Yarmouth Aug. 14, 1696, and lived in Yarmouth. He died July 23, 1745.

Children (Yar. Rec.):

1. Elizabeth b. May 11, 1699, m. Silas Sears of Yar. about 1721.
2. Mary b. June 12, 1701, m. Eleazer Sears of Yar. Feb., 1729-30.
3. John b. June 1, 1703.
4. Patience b. Apr. 15, 1705, m. Thomas Sears of Yar. July 26, 1732.
5. Israel b. Mar. 31, 1709.
6. Tabitha b. June 15, 1713, m. Judah Crowell of Yar. Sept. 6, 1733.
7. Mercy b. Nov. 22, 1715, m. David O'Kelley Mar. 12, 1741.
8. Eleazer b. Apr. 2, 1718.

31. Plym. Col. Rec. IV, 44.
32. Plym. Col. Rec. IV, 49.
33. Plym. Col. Rec. IV, 59.

reported that he could not find any property on which to levy. Thereupon, in June 1664, the Court passed the following order:

"Whereas William Nicarson of Yarmouth, hath for some time since illegally purchased a certaine tract of land att Mannomoiett, * * * * the Generall Court of freemen, being assembled, have voated that the said land shal bee put to sale and improved to the use of the collonie, onely that the said Nicarson shall have a portion therof allowed unto him, accordingly as the Court or the persons deputed in the behalfe of the countrey to make sale therof shall thinke meet, which said persons are Mr. Hinckley, Mr. Bacon, Leiftenant Freeman and William Bassett, they or any three of them; and the Govr is appointed by the countrey to affix the common seale of the Government unto such deeds as shall bee made to any for the sale therof."³⁴

Under this order no action appears to have been taken, as in the following February Mr. Nickerson laid the whole case before the Commissioners of the King, Col. Richard Nicolls, Sir Robert Carr, George Cartwright, Esq., and Samuel Maverick, Esq., who were then holding sessions at Plymouth. These Commissioners had been sent out from England with a part of the English fleet, with authority to reduce the Dutch at Manhattan to submission and "to visit the severall Colonies of New England, to hear and determine complaints and appeals in matters civil, military and criminal, and to provide for the peace and security of the country."³⁵ They first obtained the surrender of Manhattan and then proceeded to visit the several colonies. They heard Mr. Nickerson's appeal, which was the only one submitted to them at Plymouth, and appear to have thought his claim to a "farm of four miles square," as they call it,

34. Plym. Col. Rec. IV, 64. At the same session the Court heard a controversy between the said Nickerson and the sachems, Mattaquason and John Quason, about the boundaries of the land purchased by him of them and ordered a committee to be sent "to take knowledge of the bounds of the said lands and make report therof to the Court."

35. Morton, *New England's Memorial* (Davis' Ed.) 310.

to be unreasonable.³⁶ Not deeming him wholly at fault, however, they consented to move the Colony Court in his behalf, if he would abide by its action, as a result of which his fine was remitted, and the following order was passed:

"Whereas William Nicarson hath illegally purchased a certaine tract of land att Mannamoiett of the natives, and hath noe visible estate to satisfy the breach of order, yett hath lately submitted him selfe unto the clemency of the Court, this Court sees good to alow him, the said William Nicarson, one hundred acres of that land att or neare his house, to bee layed out according to the best deseretion of Barnard Lumber, Marshall Nash and Josephth Howes; and the rest of the said land att Mannamoiett this Court graunts unto Mr. Thomas Hineckley, Mr. John Freeman, Mr. William Sarjeant, Mr. Anthony Thacher, Nathaniel Bacon, Edmond Hawes, Thomas Howes Senir, Thomas Falland Senir, Leiftenant Joseph Rogers, to them and theire heires for ever by equal proportions to bee aloted to them, provided the said William Nicarson have an equall proportion of the meddow lands there with them; and these lands to bee proportioned between the said Mr. Hineckley, Mr. Freeman and the rest above named, and the said William Nicarson's portion of land to bee layed out to him before the first day of December next; and the Court orders that the said Mr. Hineckley, Mr. Freeman and the rest above named, alow in marchantable countrey pay theire equall proportions unto him, the said William Nicarson, of that pay as hee shall make apeer upon just account that hee payed for the purchase of the said lands³⁷ and this Court

36. "The colony of New Plymouth did submit to have appeals made to the Commissioners, who here had but one plaint to them, which was, that the governer would not let a man enjoy a farm of four miles square, which he had bought of an Indian, the complaint (?) soone submitted to the Governor, when he understood the unreasonableness by it." Commissioners' Report, Hutchinson Papers (Prince Soc. Ed.) II, 144. For proof that Mr. Nickerson is here referred to, see *Plym. Col. Rec.* IV, 101.

37. This provision conclusively shows that the Court saw no unfairness or injustice in the bargain made by Mr. Nickerson with the Indians. It was not trying to protect ignorant savages from any unjust bargain, but was trying to prevent Mr. Nickerson from

orders and impowers the said Barnard Lambert, Marshall Nash and Joseph Howes, in the name of the Court to put Mr. Hinckley, Mr. Freeman, Mr. Sarjeant and the rest, into full possession of the said lands att Mannamoiett; and the Court doth graunt libertie unto Mr. Hinckley, Mr. Freeman and the rest, to purchase the tract of land att Mannamoiett adjacent as are not purchased, and equally to proportion them amongst themselves, soe that it exceed not above one hundred acres apeece; and this Court ordereth that none of them shall sell or allianate his parte or proportion of his lands ther unto any person or persons whatsoever, but with the consent and approbation of his associates or of the Court."³⁸

This final action of the Court was a bitter disappointment to Mr. Nickerson. Throughout this controversy, he must have stoutly claimed that, having made the bargain in good faith in ignorance of the law, he should in justice have the full benefit of it. The Colonial authorities on the other hand, felt that the majesty of the law should be vindicated. For this some of them had

getting the full benefit of his trade and thereby escaping punishment. They required him to let in outsiders, whom it selected, as partners in his enterprise and they were to repay him a proportionate part of the purchase money paid by him. It was quite natural for him to have strenuously resisted. He wished to make his own selection of partners. The statement (Goodwin, *The Pilgrim Republic*, 498) that the Colonial authorities acted from jealous regard of the Indian rights, is, therefore, not upheld by the facts. Their jealous regard was for the rights of the "purchasers or old comers."

38. *Plym. Col. Rec.* IV, 87, 96 and 101.

It may not be clear to some readers why the representatives of the "purchasers or old comers," Governor Bradford, Thomas Pricce, Edward Bangs and the others to whom the Cape "reserve" was assigned in 1652, did not proceed directly against Mr. Nickerson on account of his purchase. That they were interested parties nowhere appears in any part of the controversy, except in a single clause (*Plym. Col. Rec.* IV, 59), where the purchase of Mr. Nickerson is stated to be to their prejudice. The answer to this, probably, is that Mr. Nickerson at first neither settled on the land nor could he produce any deed. His claim rested only on a verbal agreement. Under such circumstances, the "purchasers or old comers" might have had difficulty in showing any damage to themselves. They, of course, could not bring an action of trespass. The procedure adopted was, doubtless, thought to be at the time more effectual than any other. It is probable that the "purchasers or old comers" eventually obtained compensation in some form for the lands from the colony, although nothing appears of record to show it. Gov. Thomas Pricce succeeded Gov. Bradford, and as head of the "purchasers," doubtless looked out for his own and their interest. I believe them to have been the instigators of the proceedings against Nickerson.

personal, as well as public, reasons. Not appreciating this attitude of the Colony, Mr. Niekerson looked upon the proceeding as a colossal piece of injustice, as it certainly was from his standpoint. The trouble rankled in his breast. He conceived that Mr. Thomas Hinckley of Barnstable, later Governor and then one of the most influential citizens of the Cape, had willfully used his influence as Assistant against him. Indignant at the allowance of a paltry one hundred acres for himself and children, (which would give them only ten acres apiece), and smarting under a sense of his injuries, he could not refrain from committing his opinions to writing. In a letter to Barnstable and in another to the Plymouth Court, he accused Mr. Hinckley of denying him justice while acting as a member of the Court and of being "in combination with them that had a hand in roytt and route," [disorder and violence], but not long after he discovered his mistake and wrote an ample apology to Mr. Hinckley.³⁹ The Court, however, not content with this, thought it necessary to impose a fine upon him.⁴⁰ He, also, wrote a letter, dated April 2, 1666, to Col. Richard Nicolls, the Royal Commissioner,⁴¹ then Governor of New York Colony, stating his grievances and bitterly complaining of the conduct of the Plymouth authorities. A copy of this letter was soon brought to the attention of the Court, whereupon he and his three sons-in-law, Robert Eldred, Nathaniel Covell and Tristram Hedges, who had some part in sending the letter, were summoned to Plymouth.⁴² While this case was pending, the authorities received another letter written by him to Col. Nicolls, dated Feb. 23, 1666-7, in which he continued his attacks upon

39. Plym. Col. Rec. IV, 134.

40. Plym. Col. Rec. IV, 140. Part of the fine was remitted on his acknowledging his mistake in Court.

41. Col. Nicolls held his appointment as Royal Commissioner for life. The term of the other commissioners had expired. Documents, N. Y. Colonial History, III, 61.

42. Plym. Col. Rec. IV, 134, 155.

them, and thereupon it was decided to bind over the accused to answer for both writings.⁴³ Matters looked serious for them, but Col. Nicolls interfered in their behalf and the Court, not caring to offend this representative of the Crown, contented itself with imposing a moderate fine.⁴⁴

Meanwhile the order of June, 1665, granting to Mr. Hinckley and others all except 100 acres of the Nickerson purchase, remained in full force. By virtue of it these grantees obtained a title which the Court was bound to protect, while Mr. Nickerson had no title whatever except to the 100 acres granted to him. In fact, he had not even secured the Indian title. He had differed with the Indians as to the amount of land he ought to have and they had refused to give him any deed acceptable to him. It is stated in the Court records that during all this controversy he "was never able to produce any deed or legall evidence of any such purchase, although hee hath bine severall times urged therunto in open Court." "All that hath appeered," says the record, "is that there hath bine divers goods given by the said Nicarson and reconed by the Indians by way of bargaine for some land, but never agreed how much or upon what tearmes, Nicarson boldly affeirming and the Indians as peremptorily deneyng and soe it remaines."⁴⁵ Accordingly the Court, in July, 1667, ordered, inasmuch as there had been so much trouble about these lands, "that from henceforth the Indians be required not to make any further bargaine or contract with the said Nicarson about the said lands except in the hearing or presence of such as the Court shall appoint for such an end."⁴⁶

Feeling their rights secure, Mr. Hinckley and his associates appear to have been in no haste to enjoy the benefits

43. Plym. Col. Rec. IV, 157.

44. Plym. Col. Rec. IV, 168.

45. Plym. Col. Rec. IV, 162.

46. Plym. Col. Rec. IV, 163.

of their grant. We find that, in October, 1666, they obtained a judgment for ten shillings against Robert Eldred, Nathaniel Covell and Tristram Hedges for unjust possession and improvement of the lands at Monomoit,⁴⁷ but aside from this suit, the records do not show any effort on their part to assert their title or to disturb the settlers. They made no settlement and no sales to intending settlers. After a time, the interest of Mr. Hinckley was purchased by Major Josiah Winslow of Duxbury, but no other transfers of ownership occurred. For seven years (from 1665 to 1672) the situation remained unchanged. During this time Mr. Nickerson appears to have continued his efforts to secure a deed from the Indians, but without success. Finally, in March, 1672, he sued the sachem Mattaquason to recover damages for withholding the deed and was again unsuccessful.⁴⁸

This result might well have shown him how impossible it was to obtain protection from the Court. It would seem, at least, to have convinced him that, if he was ever to secure title to his purchase, he must make terms with Mr. Winslow and his associates and purchase their rights under sanction of the Court. But whether this be the explanation or not, we find that, within a few months after the termination of the abovementioned suit, he had reached an agreement with them and, by payment of ninety pounds "in current New England pay," had secured not only a deed from them, but also his long coveted deed from the Indians. The latter deed is dated June 19, 1672, and is signed by Mattaquason and John Quason, his son, the sachems of Monomoit. The lands, for which he had originally bargained and which he had striven so long to secure, are therein described as follows: "All that tract of lands, both uplands and Meddows, lying and being att

47. Plym. Col. Rec. VII, 132.

48. Plym. Col. Rec. VII, 171.

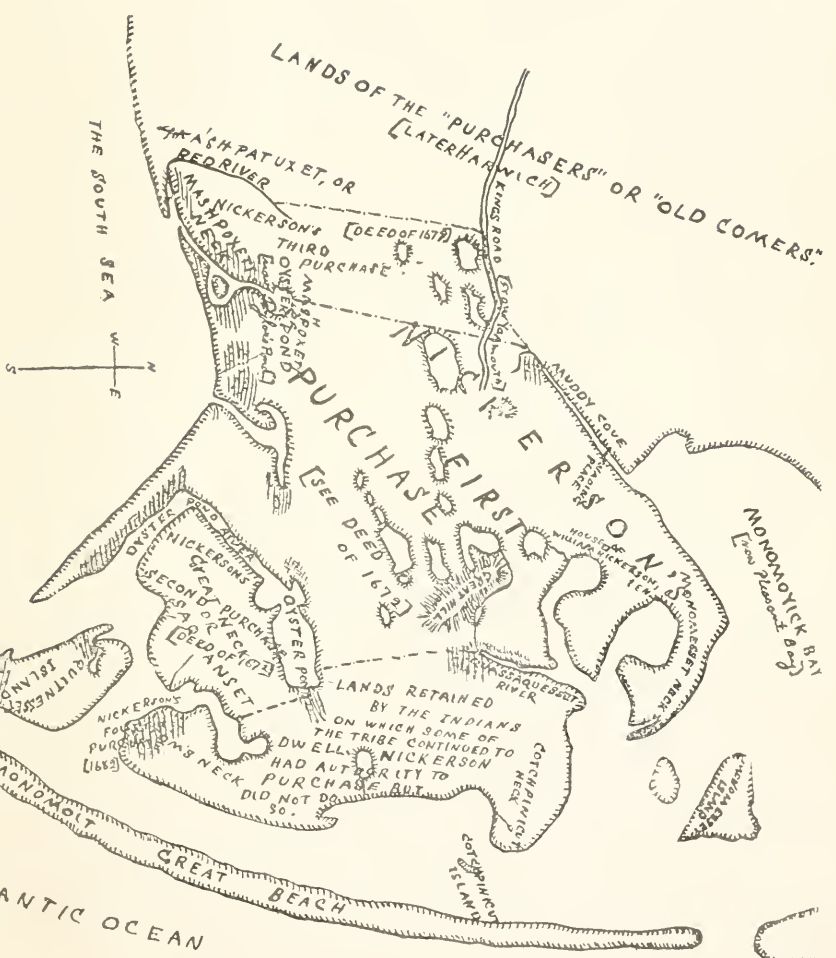
Mannamoiett aforsaid, beginning att the west syde of the head of a Cove, commonly knowne by the name of Muddy Cove, and stretching over Southerly to a pond called Mashpoxett, and thence by a creek to the Sea, and extending easterly to the oyster pond and thence by a little Swamp ranging through a valley Northerly to a Cove of Marsh knowne by the name of Pimpnuett, running through the said Marsh to the River called Quassaquesett, bounded Northerly by the River which runs up to the said Muddy Cove and Southerly to the Sea."⁴⁹

This description will be found to apply to the tract bounded west by a line from Muddy Cove through Taylor's pond to the sea, south by the sea and Oyster Pond river, east by a line from near the head of the Oyster Pond through Stepstone meadow (Pimpnuet) and Frostfish Creek (Quassaquesett river) to Pleasant Bay, and north by Pleasant Bay and Muddy Cove river. It is shown on the accompanying map as the first Nickerson purchase.⁵⁰ As incidental to his ownership, the sachems granted him the right to pasture cattle on their lands lying east and west of the aforesaid tract so long as such lands should lie in common and unfenced, at such times "as the said Sachems or thaire assigns have not come growing on

49. Plym Col. Deeds III, 251.

50. Mr. James Freeman in his "Description of Chatham" (1 Mass. Hist. Coll. Vol. 8) says: "April 10, 1665, William Nickerson bought of John Quason alias Towsowet, sachem of Monamoy, a tract of land near Potanunquint bounded east by the Great Harbour, south by a line which extends west by south into the woods, from Wequaset to a pine tree marked on four sides and north by a line extending to the farther head of a pond, to a place called Porcheomnock." This statement also appears in Rev. Frederick Freeman's History of Cape Cod. It is doubtless correct, but, contrary to the supposition of both writers, it has nothing to do with Chatham. The tract described lies on the west side of Pleasant bay north of Muddy Cove. The locality appears to have been called Monomolt in very early times, but it was not a part of the later town of Chatham nor indeed, of the constablawick or village of Monomolt (see Chap. VI). It is doubtless the same land described by William Nickerson, the second of that name, in a deed to his four sons, dated Feb. 23, 1709-10, as follows: "that my parcel of land lying to the northward of ye woody (?) [mudy, mudd] cove and so up to Setucket ponds which my father bought of old John Quason." (Files Superior Court of Judicature No. 7723.)

A ROUGH SKETCH
 SHOWING THE LANDS AT MONOMOUCI
 PURCHASED BY WILLIAM NICKERSON, SEN.



theire lands to be prejudiced therin." For this land and these rights, the Indians received a shallop, ten coats of trucking cloth, six kettles, twelve axes, twelve hoes, twelve knives, forty shillings in wampum, a hat and twelve shillings in money. This was the consideration which Mr. Nickerson had paid as early as 1656.

The same deed contains, also, a description of the neck of land called by the Indians Saquanset and later known as the Great Neck, being all the land between the Oyster pond, Stage Harbor and Mill pond. This tract he purchased of the sachems just before the date of the deed by the aid of Mr. Hinekley, Mr. Freeman and Mr. Bacon, a committee appointed by the Court for that purpose. In payment therefor he delivered to the Indians two four-year-old steers, one cow and calf and two bushels of Indian corn.⁵¹ It is shown on the map as the second Nickerson purchase.

The deed which he received from the grantees of the Court, is dated July 3, 1672, and is executed by Major Josiah Winslow, Mr. John Freeman and Mr. Nathaniel Bacon, these three acting for their partners as well as for themselves. They conveyed to him "all that tract or tracts of lands, both uplands and meadows, graunted by the Court of New Plymouth to the abovenamed Thomas Hinekley, John Freeman, Nathaniel Bacon and the parteners aforesaid as by Court Record bearing date June, one thousand six hundred and sixty-five, more att Large appeareth Lying and being att Mannamoiett aforesaid or places adjacent before then purchased by the said William Nicarson of the

51. The description of this neck in the deed is as follows: "All that our neck of land called Saquanset, beginning att a Rock lying att the head of the abovementioned oyster pond, ranging easterly by the syde of the Marsh to the line which runs Crosse the said Marsh and Swamp to a marked pine tree and thence Crosse the upland to a green oak tree by the syde of a cove or River called Naxtouweest att the end of a little valley that leads to the said River and thence to the Sea, containing all the lands both uplands and meddow in the said Neck bounded easterly by the said River and westerly by the River or water that runs from the said Oyster pond to the Sea and Northerly by the upland on the syde of the aforesaid marsh." The Sachems also granted a right of way from this neck to the other lands of said Nickerson. Plym. Col. Deeds III, 251.

Indians and alsoe all their Right and title in such lands as they had libertie to purchase of the Indians att the said Mannamoiett not then purchased, According to the true Intent and meaning of the Court's graunt aforesaid. * * The said tract of land then purchased by the said William Nicarson of the Indians is bounded as by deed given by Mattaquason and John Quason, Sachems of Mannamoiett * * * bearing date the 19th of June, 1672, Reference thereunto being had may and doth att large appear, Together with a certaine Neck of land therein mensioned which was since purchased according to the aforesaid libertie granted by the Court." ⁵²

By these two deeds Mr. Nickerson obtained title to the tract of land embraced in his original purchase and to the neck called Saquanset, at the same time acquiring the right to buy from the Indians other lands adjacent, not exceeding 1,000 acres in all. His title was apparently complete, but his troubles were not yet over. Of the ninety pounds purchase money, a part had been contributed by his sons and sons-in-law and the property was subject to equities in their favor. It was, doubtless, for the purpose of satisfying their claims that early in 1674 he conveyed to certain of his children portions of the tract. His sons, Samuel, John, Joseph and Robert, and his daughters, Ann Hedges and Sarah Covell, each received forty acres of upland and ten acres of meadow.⁵³ His daughter, Elizabeth Eldred,

52. Plym. Col. Deeds III, 252.

53. The deeds, from which the above facts are gleaned, are the following:

(1) Deed to Samuel Nickerson, dated Feb. 12, 1673-4, recorded Book 2, fol. 228, of former records of Barnstable Registry. (Certified copy in M. L. Luce papers.)

(2) Deed to Joseph Nickerson, dated Feb. 10, 1673-4, recorded in Barnstable Registry Mch. 6, 1687-8. (Certified copy in Osborn Nickerson papers.)

(3) Deed to John Nickerson, dated Feb. 11, 1673-4, recorded Book 5, fol. 328, Plym. Col. Deeds.

(4) Deed to Sarah Covell, dated Feb. 11, 1673-4, recorded Book 4, fol. 264, Plym. Col. Deeds.

(5) Deed to Tristram and Ann Hedges, dated Feb. 10, 1673-4, partial copy on cover of Quason Proprietors book in Harwich Town Clerk's office. This may not have been the copy of a deed actually delivered, but it probably was. It is dated about the date of the others and the judgment of the court later mentioned (page 75) shows that some deed was given by William Nickerson to Hedges before 1677.

(6) See deed to Tristram Hedges, dated Feb. 24, 1673-4, as indicating that Robert Nickerson received his share. (Copy in M. L. Luce papers.)

had already obtained her share in 1662, as we have seen. With this allowance of fifty acres to each child interested, all parties seem to have been satisfied, except Tristram Hedges and his wife, Ann, who claimed an interest in all the land embraced in the purchase. Trouble began in 1677, when Hedges undertook to warn from their habitations John Downing, John Savage, and Edward Cottle, three purchasers from William Nickerson, "telling them it was his and the rest of his brethren's land and that the said William Nickerson hath nothing to do to sell their lands and advised them not to pay the said Nickerson for they should not enjoy it."⁵⁴ Not long after this episode Hedges began a suit against his father-in-law, claiming damages because the latter had sold land at Monomoit in which the plaintiff had an interest and had refused and neglected to make division thereof. He claimed to have paid ten pounds of the ninety pounds purchase money and alleged that William Nickerson held title, although in his own name, yet also as agent or trustee for his children. At the trial in October, 1677, the jury found that the plaintiff and his wife were joint partners in the land with William Nickerson and the rest of his children, but upon a re-hearing in the following March the former verdict was modified, the jury finding that Hedges "had right to lands att Mannamoiett and that hee hath had land there and doe not find hee hath proved right to more than what he hath had."⁵⁵ This verdict was allowed to stand and William Nickerson's title to that part of his purchase which he had not conveyed to his children became at last unassailable.

Before this time the Court at Plymouth, recognizing the validity of his title under the deed from Mr. Winslow and his partners, had specially authorized him, according to the

54. Plym. Col. Rec. VII, 207.

55. Plym. Col. Rec. VII, 205, 209.

terms of that deed, to buy of the Indians the tract of 1000 acres adjacent to his first purchase⁵⁶ and had appointed Mr. John Freeman and Mr. Jonathan Sparrow, both of Eastham, to lay out and settle the bounds of the tract which he might acquire under this authority.⁵⁷ These appointees, as we shall see, did not perform their duties till many years after, but he was not thereby prevented from exercising his rights of purchase. Not long after his title had been established in the suit brought by Hedges, he proceeded to buy of the sachem, John Quason, a tract adjoining his original purchase on the west, paying therefor twenty pounds "in current English goods." The deed which he received is dated March 29, 1678-9. Under it he acquired all the land lying between his original purchase and the present boundary between Harwich and Chatham.⁵⁸ It is shown on the foregoing map as the third Nickerson purchase.

Four years later he enlarged his territory by purchasing all the meadow at a place called Pamuet, near his former bounds, and all the meadow on the east and west sides of Tom's Neck, paying therefor "twelve pounds and eleven shillings in current English goods." The deed of this tract is dated August 16, 1682, and is signed by John Quason.⁵⁹

56. Plym. Col. Rec. V, 147.

57. Plym. Col. Rec. V, 154.

58. The description in the deed is as follows: "All our Neck of Land called Mashpokset that lyeth westward of ye former lands purchased to a Creeke called by ye Indians Maspatuxet, by ye English ye Creeke is called the Reed River and where there is a pine knott Drove into ye Marsh on ye Easter side of ye Creeke and from that point of Marsh where ye pine knot is Driven down it is to range Southerly to ye Sea & Northerly from ye head of ye Swamp where ye Reed River or Creeke Issues out straight in a Valley where there is trees marked to a pond & over ye end of ye pond there are trees marked to ye highway and then it ranges easterly as ye highway ranges to a tree where Indian popamosset cowet's Bounds is & so to ye Muddey Cove & so it is Joyned to my former Bounds that William Nickerson first purchased of Mattaquason & John Quason, sachems of Monamoy." Plym. Col. Deeds V, 463.

59. The description is as follows: "All our parcels of Meadow lands lying and being near a place called pammet near to his [William Nickerson's] former Bounds, all ye meadow of ye East and West side of a Neck of land that ranges up between ye parcels of Meadow, with all ye sedge and creek stuff to ye Cove of water to a pine tree that stands marked upon ye Neck of upland, with all ye meadow, good and Bad, that may be made mowable, with all ye Sedge and creek stuff that is upon ye neck of land that is

This was his last purchase. He had already acquired a splendid domain, embracing not less than 4,000 acres, with which at his advanced age he might well be content. All of the land within the present limits of Chatham, lying west of a line from Frostfish Creek to the head of the Oyster Pond and thence to the head of the Mill Pond, and all the meadow around Tom's Neck belonged to him, save only what he had conveyed to his children and a few others. Few, if any, of his fellow colonists could claim such an area as their own.

Regarding his controversy with the Court, it seems clear that he prolonged it, because he believed that the Court was dealing too harshly with him. This would seem to have been the feeling of Col. Nicolls. During and after his time, there were many other cases similar to his, which were generally compromised by giving the illegal purchaser of the Indian rights a considerable proportion of his purchase, sometimes as much as one-half. Had Mr. Nickerson been thus dealt with, the controversy would probably have been a short one, and the family less exasperated.

It is to be regretted that there is so little on record regarding the Nickerson side of the case. The statements of the Colony Court must, therefore, be taken by the reader with due allowance.

known by ye name of Tom's Neck, that is in ye possession of ye Sagamore's daughter that was Conslus squa, ye upland ye Sagamore did give his Daughter & he did give his son John Quason alias Tosowet to dispose of ye meadow with Mattaquason & John Quason have sold unto Willam Nicarson senr of Monamoy as it is above expressed." "With a convenient way to ye meadow through ye neck to fetch out ye hay or creek stuff." Plym. Col. Deeds V, 508. Pamnet and Pimpnet are probably one and the same locality.

CHAPTER VI.

EARLIEST YEARS OF THE VILLAGE.

WHEN William Nickerson settled at Monomoit, he found the locality far more picturesque in its natural features than it is to-day. Forests of huge oaks and pines adorned the hills now bare and infertile, while the swamps, now cleared for the cranberry, were almost impenetrable thickets, out of which rose a rich growth of towering cedars.¹ Near the shore, indeed, were to be found frequent clearings, where the Indian had pitched his wigwam, but these open areas, although considerable, could scarcely have been so extensive as to mar the general beauty of the scene. The red men were far less destructive of the forest than their more enlightened successors.

The difficulties attending the first settlement may be easily imagined—the felling of trees, the hewing of timber, the framing of the rude cottage, its slow construction, and then the bringing of the household goods over the Indian trail from Yarmouth. It was a large undertaking for a man of sixty winters and, when we consider that he had no deed of the land and was by his action prolonging a contest with the colonial authorities, we can appreciate the iron will and restless energy of this remarkable pioneer. There is no written record showing the location of his house, but a well-defined tradition places it near the old burying place which crowns the hill near the head of Ryder's Cove. Mr. Josiah Paine of Harwich writes: "I have been told that his house

1. From the statement of aged citizens who could remember the huge logs burned in the fireplaces in their youth. The cedar swamps have not yet wholly disappeared.

stood near where Kimball Howes lived, but was never shown the precise spot, and that he was buried on the hill above his house." The late Rufus Smith, Esq., a lifelong resident in the vicinity, informed me that the exact site was about half way between his residence and the head of Ryder's Cove, that spot having been pointed out to him many years ago by Christopher Ryder and Kimball R. Howes, both of whom lived near the place all their lives and their fathers and grandfathers before them.² Mr. Smith afterwards purchased the lot of land, whereon the old house is said to have stood and, in cultivating it, ploughed up the foundation of a chimney and found relics of the past. The farm, on which Mr. Nickerson lived, is described by him in 1687 as bounded "outward from the uttermost corner of a pond called the Pasture Pond,³ and from thence straight outward to the head of a cove called the Muddy Cove and from thence inward to Joseph Nickerson's bounds."⁴ The words "outward" and "inward" are probably used with reference to the house on the farm and seem to confirm in a general way the tradition as to its location.

With the settlement of Monomoit arose the necessity of providing for the government of its inhabitants. Accordingly, in June 1665, the Plymouth Court passed an order that the lands "att Mannamoiett" should "appertaine and bee within the liberties of the township of Yarmouth, as the lands between Bound brook⁵ and Stony brook⁶ are, until

2. I am indebted, also, to Mr. Smith for the following figures, showing the precise location: from the front door of the house late of Christopher Ryder S. 51 degrees W, 19 1/5 rods; from the front door of the house late of Kimball R. Howes S. 62 degrees E., 29 1/3 rods.

3. This seems to be Stillwater pond. See a deed from Sarah Covell to Ephraim Covell dated May 19, 1699, Files Superior Court of Judicature No. 3919.

4. The farm of Joseph Nickerson bordered on Pleasant bay and included the land around and east of the house of Osborn Nickerson, Esq. The easterly line of the farm extended from Crow's pond across the neck to Pleasant bay. See deed William Nickerson Sen. to Joseph Nickerson dated Feb. 10, 1673-4. (Osborn Nickerson papers.)

5. Quivet Creek, the present boundary between Dennis and Brewster, and former boundary between Yarmouth and the "purchasers" lands.

6. Sauquatuckett River in West Brewster.

the Court shall see cause to order otherwise."⁷ This was rather an inconvenient arrangement, as the wide area lying between Monomoit and Stony brook was already under the jurisdiction of another township, Eastham, and the parent town of Yarmouth and its offspring were thereby entirely separated from each other.⁸ Moreover, the Nickerson family seem to have looked with no favor on this effort to attach them to the town they had just left and to make them liable to taxation therein. When, therefore, in 1667, Mr. Thomas Howes, the constable of Yarmouth, came down to Monomoit, presumably to collect his "rates," he met with a hostile reception.⁹ He was "affronted in the execution of his office and offered divers abuses therein," says the record, for which Mr. Nickerson, his sons Samuel, Joseph and William, and his son-in-law, Nathaniel Covell, soon found themselves in trouble.¹⁰

Perhaps, in view of this episode, the Court deemed it wise no longer to continue the relations between the two places. At all events, in June 1668, at the same time that it punished the affront to Mr. Howes, it passed an order "that the lands att Manna-moite be att present reputed to be in the constablericke of Eastham and liable to pay public charges there."¹¹ Although this order does not, in terms, contemplate that Monomoit should be incorporated into and become a part of the town of Eastham, but only annexed to it for purposes of taxation, its practical effect seems to have been to give the Monomoit people most, if not all, the rights of citizens of the town. They were apparently entitled to take some part in the town meetings and were reckoned in the list of

7. Plym. Col. Rec. IV, 97.

8. See Colony Court order of June, 1659 Plym. Col. Rec. III, 165.

9. The chief duty of a constable at that time was the collection of taxes or "rates."

10. Plym. Col. Rec. IV, 183.

11. Plym. Col. Rec. IV, 185. The statement in Swift's History of Yarmouth that Monomoit was annexed to Eastham in 1674 is incorrect, as also the statement that Mr. Nickerson settled at Monomoit about 1672.

citizens. We find that, on July 13, 1671, "Goodman Nickerson" was chosen in town meeting as one of the "rate makers" for that year, an office to which he was re-elected in 1672 and 1673, being then called William Nickerson, Sen. in the records.¹² In June 1674, the relations of the two places were defined so as to be clear beyond any question, by the following Court order: "Wheras Mannamoiett, Paomett and Satuckett have bin put under the constablenesship of Eastham, that they shall belonge unto and be off the said Township untill the Court shall see cause otherwise to order, and all other places in like capasitie shall belonge unto particular townships as the Court shall see meet."¹³ At the same Court, on petition of Mr. Nickerson, his "naighbourhood" was allowed the privilege of having a deputy constable, who should serve under the constable of Eastham, and Nathaniel Covell was designated for that office.¹⁴

Up to this time the growth of the "naighbourhood" had been necessarily retarded. For at least eight years, (1664 to 1672) the only white inhabitants had been the families of Mr. Nickerson and his children, Nicholas excepted. His title to the land being incomplete, no one would venture to purchase of him and, on the other hand, no one cared to purchase of Mr. Hinckley and the other grantees of the Court and settle in the vicinity of a hostile Nickerson colony. This state of affairs, however, as we have seen, terminated in June 1672, when he obtained title both from the Indians and from the grantees of the Court. He was then in a position to make sales of the property and early in 1674 not only conveyed various parcels to certain of his

12. It is stated in Pratt's History of Eastham that Mr. Nickerson was one of the selectmen in 1672, but a careful reading of the Eastham records fails to show any basis for the assertion. The office to which he was chosen was that of "rate maker," or assessor.

13. Plym. Col. Rec. X1, 237.

14. Plym. Col. Rec. V, 147, 148.

children, as already stated, but sold considerable tracts to John Downing Sen. Teague Jones and Thomas Crow, (the last two of Yarmouth,) and perhaps to others.¹⁵ Downing was then a resident and the other two must have soon after settled on the lands purchased. Downing and Jones settled not far from each other at West Chatham: Mr. Crow built his house at Seaquanset, by which name the locality, about Cockle Cove was known.¹⁶

Encouraged by these accessions, Mr. Nickerson, in 1675, petitioned that the "naighbourhood att Monnamoit may be allowed to be a townshipp," but the Court conceived that they were "not in a capacitie att present to manage the affaires of a towne," and therefore allowed them "to have a deputie constable and a grandjurymen which shal be chosen by the towne of Eastham together with themselves." In all other respects they were to "remaine and relate unto the towne of Eastham for bearing theire parte of all other charge, as was settled at the last June Court."¹⁷ This was a distinct advance in the line of local self-government, for it gave them a grandjurymen for their "naighbourhood" in addition to a deputy constable, both to be chosen by vote of the whole town.

The year 1675 was, also, notable in the history of the Monomoi community, as in the history of the whole Colony, for marking the outbreak of the first great struggle with the Indians. King Philip of Canonchet had long been secretly plotting the destruction of the Colony and in July of this year his plans were at length ripe. The contest which bears his name then began and continued till his death in August, 1676. In this struggle the Cape Indians,

15. I have been unable to find the deed to Downing or any copy of it. Other old papers, however, show that he was among the very first to obtain land from the proprietor of Monomoi. The deed to Jones is dated Feb. 14, 1673 4, (copy in M. L. Luce papers); that to Thomas Crow is dated the same day and was recorded in Book 2, page 77 of former Barnstable Deeds (Certified copy in M. L. Luce papers).

16. Saquanset or Seaquanset was the name given also to Stage Neck.

17. Plym. Col. Rec. V, 171.

fortunately, refused to join the conspirators,¹⁸ otherwise the position of the Monomoit settlers, separated as they were from their countrymen by Indian villages, would have been perilous indeed. As it was, the presence of the Indians must have caused some anxiety. All the towns of the Colony were compelled to make great sacrifices to prosecute this war. To the call for troops Eastham responded with her proper share and, among those who went from that town, Monomoit was well represented. William Nickerson, Jun., and John, Joseph and Benjamin Downing, the three sons of John Downing, Sen., were in the service.¹⁹ Doubtless, also, John Nessefield or Nestfield, who was killed in Capt. Michael Pierse's fight at Canonchet in Dec. 1675, was also from Monomoit. He left an orphan child, Sarah, there, not two years old, who was taken in and cared for by Tristram Hedges and his wife.²⁰ There is no list extant of the soldiers engaged and the names above mentioned, except that of Nesfield, are known only because many years later their heirs were found entitled to share in the Narragansett lands, so called, granted to the participants in this war. In this connection we find in the Eastham records that William Nickerson, Sen. on March 21, 1676, was again chosen "rate maker," being authorized with four others "to make a rate of £56-16s-6d for defraying charges about the war against the Indians, as also to make a rate of £4-10s, to supply the town stock of ammunition, also for a sum of £88-19s-5d, for soldiers wages and fitting them out for service from the first expedition to the Narragansetts until April 1676." Other rates on account of the war were later authorized by the town.

18. In June, 1671, the chiefs of the Cape and other friendly tribes assembled at Plymouth and entered into a solemn pledge of fidelity and allegiance to the English, "John Quason Taswott" signing in behalf of the Monomoyicks, and in October, 1675, this pledge was renewed at Plymouth. Wasneksuk signing for Monomolt. *Plym. Col. Rec.* V, 66, 177, 178.

19. *History of Amherst, N. H.*, and *History of Gorham, Me.*; also *York County, (Me.) Deeds* XXII, 33.

20. *Plym. Col. Rec.* VI, 54.

On or about the autumn of 1675, the Monomoit "neighbourhood" was further increased by the arrival of two families from Nantucket, those of John Savage and Edward Cottle. Each of these men bought a farm of Mr. Nickerson, whereon they erected dwellings, and John Savage, who was a cooper, obtained the right to cut hoop poles on any of the common land owned by said Nickerson.²¹ And here the plan on which the land at Monomoit was originally laid out may as well be explained. Mr. Nickerson first reserved the land in the vicinity of his house and extending west to Muddy Cove for his homestead farm. Three or four of his children had farms near,²² but, with these exceptions, all the land North of a line from the head of Muddy Cove to the head of Ryder's Cove, was embraced in his home farm.²³ Certain lots were laid out on the north side of the Oyster Pond at a place called the Oyster Pond Furlong (sometimes called the six acre lots) and some of these were granted to his children. Other lots, laid out on the "Great Neck," south of the Oyster Pond, were also granted to his children. All that tract, consisting mostly of woodland, lying between the present north and south roads to Harwich and west of the road connecting them, which runs from the Hawes corner, West Chatham, to the Old Cemetery corner, and nearly all the upland at Red River neck and around

21. Deed William Nickerson to Teague Jones dated Dec. 27, 1675, (M. L. Luce papers); Plym. Col. Deeds IV, 172 and 300; Nantucket Vital Records.

22. Joseph Nickerson lived near the present residence of Osborn Nickerson, Esq., and Samuel Nickerson and Nathaniel Covell near and north of the Herring Brook on an old road now discontinued.

23. In this connection the following testimony given in March, 1710-11, is of interest: "Benjamin Phillips of full age testifieth & saith that about fourteen yeers agoe my mother-in-law Sarah Covell went with my uncle to bound out a house lot of land to me at the hed of the Mudy Cove in Manamoy Capt Sparrow was there present also and that the land which Ensign William Nickerson now controvarts with Sargent Daniel Hambleton for entring upon Joynes to the land which was laid out to me at sd time & place, when we were bounding out my sd lot at sd time, I would have had my mother Covell & my sd uncle William Nickerson have laid out my lot forder on upon that land that is now in controversy, but my sd mother & sd uncle told me no, they could not, for that land was the undivided lands & they two with Mr Sprage did own the same & that so far as they bounded me was as far that way as their father Nickerson's bounds came of his divided land which hee had laid out for himself." Files Superior Court of Judicature, No. 8,212.

Taylor's pond, was reserved as common or undivided land. The remainder of his purchase, consisting chiefly of farming land along the south shore, Mr. Nickerson granted, from time to time, to purchasers who came in from other towns to settle. To some of these purchasers he, also, granted, as appurtenant to their farms, rights or privileges of pasturage, cutting wood, &c, in the common or undivided lands. Those obtaining such rights or privileges were afterwards known as the "privileged men," to distinguish them from the "proprietors" or owners of the common lands, who had succeeded to the title of Mr. Nickerson.²⁴

At this time the main north and south highways now running to Harwich had evidently been laid out by Mr. Nickerson, but they were still in a very rough condition, consisting probably of a single narrow cart track through the forest. That the virgin forest growth still stood upon these ways is shown by a deed from Mr. Nickerson to Teague Jones, dated Dec. 27, 1675, wherein for half a hogshead of merchantable tar the former granted to the latter "all ye tember that stands upon that highway [the south road] from ye crose fence & bares yt is next Edward Cotteles land & from thence up to ye uper bares next to Robart Eldredg's bounds mark of his hones lote."²⁵

In November, 1678, a shallop sailed into one of the harbors of Monomoit, its master, Moses Bartlett of Boston, having been taken ill on his voyage. His disease was found to be the small pox, of which he died on the 15th of the month and was buried the same day. William Nickerson, Sen, and his son Nicholas of Yarmouth, took an inventory of Mr. Bartlett's effects and sent it to Plymouth. Besides the shallop, with rigging, sails, anchors, oars, &c.,

24. See "A Proprietors' Book for Chatham" in Town Clerk's office; deeds of William Nickerson Sen. to his children heretofore mentioned, and Files Superior Court of Judicature, No 2,605.

25. M. L. Luce papers

there was a chest of clothing, carpenter's tools, a hogshhead of salt, a harping iron, a drawing knife, &c. Mr. Bartlett was evidently in search of whales.²⁶

At this period the Monomoit settlers, in order to attend public worship, were obliged to travel seven or eight miles to Eastham through a wild and uneven country and over roads as yet only partly cleared, if at all. At the time of the first settlement, the difficulties were so great that attendance at the Eastham church was probably out of the question. Under these circumstances Mr. Nickerson called his family together on the Sabbath and himself read and expounded the Scriptures to them. In this way he became the religious teacher of the place. It had no other spiritual leader while he lived.²⁷ But though the "neighbourhood" maintained its own religious meetings, it was not thereby exempt from contributing to the support of public worship at Eastham. The church at that time stood in practically the same relation to the town that the public schools now do. All the citizens were taxed for its support and appropriations were annually made in town meeting for minister's salary and other church items. Apparently the people at Monomoit did not object to these regular taxes, but when a special tax on account of disbursements for the meeting house at Eastham was levied in 1678, they were not disposed to submit. The town of Eastham, thereupon, voted in November 1678, "upon defect of their non-payment of the same to prosecute the matter to effect according to law and to bear the necessary charges that may accrue from the same." In the following March the Monomoit people applied to the Court to be rid of Eastham altogether, wishing to establish a church of their own. The action of the

26. *Plym. Col. Wills*, IV, 7.

27. "This Mr. Nicholson, in his lifetime, was ye father of ye place and ye inhabitants of it were his children, either by consanguinity or affinity, and he exercised as a teacher [i. e. religious teacher] among them." Extract from *Diary of Rev. Joseph Lord*, *Yarmouth Register*, Dec 17, 1846.

Court on this petition was as follows: "In answere unto the petition of the inhabitants of Mannamoiett wherin they applye themselves to this Court that they may be a townshipp of themselves by reason of their remoteness from the towne of Eastham, that they cannot comfortably attend the worship of God there, they manifesting that they are desirous to build a meeting house and to procure Mr. Crosbey²⁸ or some other orthodox minnester to despence the word of God amongst them, this Court doth determine that if they soe doe, and apply themselves to the next June Court, and then give the Court a good assurance therof, as alsoe to performe all other dutyes which concern a well ordered townshipp, they shal be a townshipp of themselves."²⁹ At the next June Court, (1679), the plans to secure a minister having failed, an order was passed, on petition of Mr. Nickerson, "that Mannamoiett shal be a constablericke of itselfe and to choose and send a fitt person for constable and another for grandjuryman and present them unto the next Court to take oath and that all the inhabitants of Mannamoyett are heerby enjoyned by the Court, joyntly and unanimously to raise amongst themselves five pounds per yeer in mony if it may, if not, in other substanciall goods, or pay and deposett in the hands of some faithfull person, to be kept in stocke towards the inabling of them to build a meeting house or a house for a minnester."³⁰

This action of the Court made the place independent of Eastham. Its inhabitants could now regulate their internal affairs to a limited extent. They could meet together, raise money by taxation and appropriate the same, and choose a constable, a grandjuryman, and assessors or "rate

28. Rev. Thomas Crosby, a graduate of Harvard College in 1653, previously settled in the ministry at Eastham, but at this time engaged in business there, and later a resident in that part of Harwich now Brewster.

29. Plym. Col. Rec., VI, 4.

30. Plym. Col. Rec., VI, 14.

makers." They could not send a representative or "deputy" to the Colony Court, as towns were permitted to do, nor did they have any voice in managing Colony affairs. They were made a constablewick and not a town, because they were unable yet to support a settled minister; for a law of the Colony declared that "it hath bine and is the pious care and true intent of this Court that all such plantations and townships as are by them granted should maintaine the publicke Sabbath worship of God and the preaching of the Word." It was for the purpose of hastening this event that the order for raising five pounds yearly was adopted by the Court.

About the year 1680, another family was added to the Monomoit settlement, that of John Taylor, who came from Yarmouth and settled on the east side of Taylor's Pond (South Chatham.) Mr. Taylor had been a soldier in King Philip's War, going from Yarmouth on two expeditions. He was a quiet and respected citizen. Many of his descendants are still residents of the town.³¹

It will be seen that the progress of the settlement was unusually slow. People were not attracted thither, even after the land troubles had ceased, and the community, therefore, continued feeble and unprosperous. The following order, passed by the Court in October, 1680, throws some light on the conditions at that time: "In reference unto a poor orphan, named Sarah Nestfield, liveing att Mannamoiett, whose father was slaine by the Indians in Capt Peirses fight, which orphan was left att Mannamoiett aforsaid in a destitute condition and taken in and kept by Trustrum Hedgis and Anne his wife, soe as it is recovered of his weake and forlorne condition, it being about six year old att the date heerof, the said Trustrum Hedgis and Anne his wife, haveing bine att some considerable charge and trouble in the keeping of her, and requesting some satis-

³¹. See Yarmouth Vital Records; "A Proprietor's Book for Chatham," and Plym Col. Records.

faction of the same, the Court doe allow unto them five pound; and although they are well satisfied that of right it belonges to each towne in this government to relieve their owne poor, *yett forasmuch as the village of Mannamoiett is in its infancye and therefore not soe able soe to doe as others,* the Court doth therefore award the said neighborhood of Mannamoiett to pay unto the said Hedgis the sume of three pounds of the said five pound, in good currant country pay, att prise currant, upon his demand, or in some short time after, and the remaining forty shillings to be payed by the Treasurer" [of the Colony.]³² In the following March the village was relieved from paying even the three pounds, but was ordered to prepare a suitable place for the child and remove her thereto.

In 1680 Joseph Nickerson was elected grandjuryman from the new constablewick and the same year it was required to raise and pay into the Colony 2 pounds of the 160 pounds levied to meet Colony expenses that year. In 1681 William Nickerson was grandjuryman and John Savage constable. Monomoit had to raise this year 2 pounds 10 shillings towards a total levy of 245 pounds for Colony purposes. At the July Court this year it was ordered that "Mannamoyett and Middleberry, each of them, doe make choise of a fitt man to exercise their men in armes, and to see their men well provided with fixed armes and ammunition for their respective places and to present to the next Court for aprobaton."³³

About this time the village lost by death two of its leading members, both sons-in-law of William Nickerson, Sen. The exact year in which Nathaniel Covell died is not certain, but it was not far from 1682, in which year Robert Eldredge, his brother-in-law, died.³⁴ Both were in the prime of life, and left large families.

32. Plym. Col. Rec. VI, 54.

33. Plym. Col. Rec., VI, 67.

34. Plym. Col. Wills IV, Pt. 4, 45; Mr. Covell died before 1685.

Nicholas Eldredge was the grandjurymen of the village in 1682 and it was required to raise 2 pounds, 10 shillings toward the Colony tax. In 1683 Robert Nickerson and William Nickerson both appear as constables, according to the Colony records, but probably this is a mistake, one of them, doubtless, being the grandjurymen. The village was to raise this year 2 pounds 4 shillings. In 1684 no grandjurymen is mentioned. Joseph Nickerson was constable and the quota of the place was the same as the preceding year. In 1685 Hugh Stewart was grandjurymen and Monomoi was to raise three pounds 12 shillings and 8 pence. From this date until the local records begin in 1693 it is impossible to tell who were the officers of the place, as the records respecting them, after the division of the Colony into counties in 1685, were kept only at Barnstable, where they were destroyed by fire in 1827.

Mr. Stewart, who is mentioned as grandjurymen in 1685, had settled at Monomoi two years previously, having removed from Yarmouth. He was a man of substance and influence and his children became prominent in local affairs. He bought the farm of Thomas Crow, who returned to Yarmouth, his former home. Probably about the time of Mr. Stewart's coming, two other families became residents at Monomoi. Caleb Lambert from Barnstable, settled probably in the Red River Neck, and William Griffith³⁵ from Satucket (West Brewster) bought a farm north of the Oyster pond. The latter was an energetic citizen, but of a roving disposition. These additions were soon offset by removals of some of the earlier settlers. Before 1686 John Downing and Teagne Jones had sold out and removed, the former to that part of Eastham now Orleans, the latter to Yarmouth. Mr. Elisha Hedge of Yarmouth, who purchased of them, did not settle, but sold to Lieut. Nicholas Eldredge in 1686.

35. The name in the town records is written William Grefeth. This has been misread by some as William Groseth, by others as William Gross.

Edward Cottle, also, disappears about this time and later appears as a resident of Martha's Vineyard. John Savage, also, sold out and removed to Pamet (Truro), being one of the earliest proprietors there. His farm was bought by Mr. Samuel Smith of Eastham, who placed William Cahoon in charge. Before 1690 every one of the first five families, who had purchased farms of William Nickerson, Sen. had removed to other parts. On the other hand, between 1686 and 1690, William Mitchell and probably George Godfrey, Edward Small and Nathaniel Tomlon became residents. Mr. Godfrey was from Eastham, and Mr. Tomlon from Yarmouth.³⁶

All these early settlers were tillers of the soil. They settled for the most part near the shore for convenience in getting shellfish and other fish for family use, but they devoted their lives to agriculture. In connection with this, some of them utilized the early forests for the production of tar, in which there was at that time a lively traffic. The capture of whales in a small way was, also, pursued. There was a substantial whale boat owned in the village at an early date, the citizens holding it in shares.

About this time a native of London, Capt. James Forster, entered upon some kind of an enterprise at Monomoit, the nature of which we can only conjecture. He acquired Quitnesset, now Morris Island, but was taken ill and died before his plans were complete. His will, dated February 11, 1686, was proved in July, 1686. He gave Quitnesset Island to his sister Elizabeth Wopshot, "the daughter of Elizabeth Torlton Lately Living in Jacobs Street in Southworke near London," but in case of her death without issue, it was to

36. The facts stated in the foregoing paragraph are gleaned chiefly from the following sources: Settlement of estate of Samuel Smith (Barnstable Probate Rec.); Deed from Ellsha Hedge to Nicholas Eldredge dated Mar. 22, 1685-6 (certified copy in M. L. Luce papers); Files Superior Court of Judicature No. 8,436; Tisbury Town Records; Deed from Thomas Crow to Hugh Stewart dated Aug. 13, 1683, (certified copy in M. L. Luce papers); Deed from William Griffith to Thomas Howes dated April 8, 1703, (certified copy in M. L. Luce papers).

go to his mother Elizabeth, wife of Mr. John Torlton. Dr. Fuller of Plymouth attended him and the watchers in his illness were remembered in his will. The number of his servants indicates that he was a gentleman of means and breeding. Capt. John Thacher and Elisha Hedge, both of Yarmouth, were his executors. One of his creditors was the "widdow Eldred," who was doubtless the widow of Robert Eldredge.³⁷ Quittneset Island later came into the possession of Morris Farris, who lived there many years, and from whom its present name is derived.³⁸

These were the times in which pirates infested the seas. The Plymouth Court records, under date of October 28, 1684, say: "William Nicarson and Samuell Bryant being bound over to the Court to answare for carrying of from the Iland of Nantuckett John Grayham, a pirate that was there under their custody, they heer appeering * * * were cleared," no sufficient evidence being produced against them.³⁹ On August 22, 1689, the Brig Merrimack of Newbury, Capt. John Kent, master, was captured by pirates in Martha's Vineyard Sound.⁴⁰

William Nickerson Monomoit had now been settled over twenty-five years. It was still but little more than a Nickerson neighborhood. During this period the founder and leader of the place had been preserved to guide its destinies, but henceforth it was to go forward without his counsel. The exact date of his death is not known. There is no settlement of his estate,

37. Barnstable Prob. Rec., 1, 1

38. "Morres Farris of full age testifieth & saith that some time about two years last September Thomas Doan and James Eldridge came over to my house on quenttnosset Island where was Judah Paddock, and I heard much discourse about Paddock releasing sd Doan * * * * *"

Date of testimony, July 4, 1722. Files Superior Court of Judicature, No. 16,846.

39. Plym. Col. Rec., VI, 145.

40. Coffin's Hist. of Newbury.

but recitals in ancient deeds show that he must have died between August 30, 1689, and September 8, 1690.⁴¹

Several years before this time he had arranged his affairs so that the management of his domain should pass into the hands of his daughter, Sarah Covell, and his son, William Nickerson, Jr. As early as February 1685-6, he had conveyed to the former all his property of every name and nature,⁴² but afterwards had changed his plans, and by deed dated December 2, 1687, had joined with his daughter in conveying to William Nickerson, Jr., the tract of land called Monamesset Neck and one half interest in all his other lands, both purchased and unpurchased, save only his home farm, to which his daughter retained exclusive title.⁴³

41. These facts appear from deeds, William Nickerson Sen. and Sarah Covell to William Nickerson Jr (note 43) and Sarah Covell to Hugh Stewart dated Sept. 8, 1690, (certified copy in M. L. Luce papers.)

42. "To all people to whom these presents shall come, that William Nickerson Senr of Manamoy In ye Government of New Plymouth In New England, In America, weaver, Sendeth Greeting * * know ye yt I ye said William Nickerson for and In consideration of ye sum of a hundred pounds to me in hand paid by my daughter Sarah Covell of Manamoy In ye Government aforesd * * * * by these presents do give, grant, bargain, sell, enfeoff, and confirm unto my daughter, ye sd Sarah Covell, her heirs and assigns forever, All that my houses and lands purchased or unpurchased & meadows, salt and fresh, cattel, movables, Debts, lying & being in Manamoy or elsewhere."

To Have & To Hold * * *

Dated Feb. 12 1685, acknowledged May 18, 1686, by Mr. Nickerson and Anne, his wife and recorded May 2, 1691. Witnesses, Hugh Stewart, William Griffith.

Files Superior Court of Judicature No. 2,605.

43. "To all Christian People to whom this present writing shall come, William Nickerson Senr & Sarah Covell widow both of Monamoy In New England in the County of Barnstable Send Greeting; Know ye that we the said William Nickerson Senr & Sarah Covell, widow, both of the aforesd Manamoy have sold unto William Nickerson Junr of sd Manamoy a neck of land Lying & being in ye sd Manamoy commonly called Manamesset butted & bounded as followeth: Beginning at the first salt pond upon the said neck next to Joseph Nickerson and from the head of the said pond It Rangeth by marked trees where there was a fence formerly across the said neck of land to the Bay which Lyeth upon ye North west side of the sd Neck, where there Lyeth a parcel of stones by the water side where there was a stone wall formerly & from thence Rangeth Inward by the water all round the said Neck till you come to the Salt Pond aforesd—all the upland within the sd bounds & also all the meadow Lands which is not Expressed in Joseph Nickerson's Deed—and also one-half of all the other of our lands which is not yet Disposed which the said William Nickerson Senr bought of Mattaquason & John Quason Indians both of sd Manamoy which Doth appear by a Deed from the sd Indians and also by another Deed which the sd William Nickerson Senr hath from Mr. Josiah Winslow, formerly Governour of the Colony of New Plymouth & Nathaniel Bacon & John Freeman in the behalf of the Rest of their partners, and also liberty to purchase one

His age at the time of his death must have been not less than 85 years. Whether he survived his wife Anne or not is uncertain. She was living as late as May 18, 1686. Tradition says that he was buried on the hill above his house, by which is, doubtless, meant the hill at the head of Ryder's Cove, where many of the oldest settlers lie buried in unmarked graves. This hill he dedicated in his lifetime as a burial place and it was later given to the town by his daughter and sole owner of his home farm, Mrs. Covell.⁴⁴

Respecting his life and character much might be written. Undoubtedly he was in many respects a remarkable man,—

half of all the rest of the Land which is not yet purchased as it was granted to the sd Willm Nickerson, Senr, by the Court, Excepting of the farm which the sd William Nickerson, Senr, liveth upon & the meadow thereunto belonging, bounded as followeth: Outward from the uttermost corner of a pond called the pasture Pond and from thence straight outward to the head of a cove called the Muddy Cove & from thence Inward to Joseph Nickerson's bounds and also the short neck. This farm & ye meadow thereunto belonging is excepted out of this sale, but the above sd Manamasset neck of land & the one-half of all the Rest of our Lands which is purchased that is not yet disposed, upland or meadow lands, and also the liberty to purchase the one-half of that which is yet to purchase, upland or meadow lands, as the liberty was Granted to the sd William Nickerson, Senr, as is above sd. We, the sd William Nickerson, Senr, & Sarah Covell, widow, have sold unto William Nickerson, Junr, for & In Consideration of fifty pounds to us, the sd Willm Nickerson, Senr, & Sarah Covell, paid in hand."

To have and to hold * * * (a right of way out of Monamasset Neck is also granted).

Dated Dec. 2, 1687, acknowledged Aug. 30, 1689; recorded in page 64 of Barnstable Co. Book of Records. Witnesses, William Mitchell, Wm. Griffith, Jun.

Files Superior Court of Judicature, No. 2605.

44. "A Record of the bounds of lands that was laid out by Mr. William Nickerson, Senr desesed/for a burying place, sd percell of land was allowed for that purpose forever and accordingly set out and allowed by Mrs. Sarah Covell widow, the bounds as followeth:

bounded esterly upon a hay way that parts the land of Joseph Covell and the land that was Jereudah nickersons, the nother bound is upon Joseph Covell till it coms to the decent or brow of a hill as sd Joseph Covell dich now runs the wester bounds is upon the land that was ephraim Covell from dich to a rock lyng on the Souther sid of sd hill, the Souther bounds is upon sd ephraim land to the first spicified hay way which is sd ephraims known bounds, the reug is one the brow of the hill as sd Joseph Covells renges one the other sid." Town Records, 1715.

The hay way mentioned has disappeared, and if traditional accounts are true, only a small portion of the original acre lot has been fenced and preserved during the last century. The remainder has for years been cultivated by private individuals.

Respecting this burial hill there is a tradition that not long after the first settlement the Indians came to it one day and began digging without right. The men of the neighborhood were away at the time, but the women were equal to the occasion. They rushed out of doors, shouting: "Bring the guns! bring the guns!" and the frightened savages, expecting to see the men presently appear, fled precipitately.

a man of large enterprises, of honorable intentions and strong religious convictions. He had the firm will and restless energy of the successful pioneer. In pursuing what he believed to be his rights, he was appalled by no difficulties and disheartened by no reverses. Drawn into the purchase of the Monomoit lands through a mistaken idea of the law, he looked behind the law to the equities of the case and strove long and earnestly to secure a favorable issue. The "purchasers or old comers," however, whose rights were affected, were the governing class in the Colony and they would brook no compromise that seemed fair to him. Hence the contest waxed warm. "For I desier not to wrong any man of ther just right nor I would not be wronged myselfe," was his expressed principle.⁴⁵ Perhaps he laid too much stress on the latter half of this statement. At all events, he was engaged in much legal controversy outside of his land troubles, but his inclination to be contentious does not seem to have been transmitted to his descendants. Mr. Swift in his History of Yarmouth says of him: "He was still recognized as one of them by men of Christian character and it does not appear that he was entirely at fault in all respects." Mr. Amos Otis says: "There is a remarkable parallelism between the character of Mr. Bachilor (Rev. Stephen) and that of Mr. William Nickerson, the ancestor of the family of that name. Both were, or assumed to be, religious men: both were stiff-necked and wayward; both were often involved in difficulties; both were undertakers of new plantations and in both their families the same clannish spirit prevailed. Bachilor had more wives and Nickerson more law suits, the former undertook several plantations; the latter only one."⁴⁶ Mr. Nickerson left numerous descendants, nearly all of whom

45. Files Superior Court of Judicature No. 392, which see for probable signature of Mr. Nickerson shown on page 92.

46. Otis, Genealogical Notes of Barnstable Families, I, 41.

were living in this part of the Cape. The family is still a large one in this vicinity. Its members have intermarried with all the older families and probably nine-tenths of the present residents of Chatham, the writer included, can trace their descent in some way from William Nickerson.

Mr. Nickerson died at the outbreak of a fresh Indian struggle, more widespread and threatening than the former one with King Philip, and destined to be longer and more bitter. This time the savages had the French as allies and the struggle continued with brief interruptions for more than twenty years. The Cape Indians remained faithful and valuable allies of the Colonists, but in spite of this the Cape towns were required to make unusual sacrifices. They were obliged to furnish their quota of men and, at the same time, to be on the watch for, and ready to resist, the approach of any French privateers, which might be upon the coast. When the war began in the summer of 1689, the Plymouth Colony took measures to raise a company to join with Massachusetts Bay in an expedition against the Eastern Indians and gave the command to Capt. Benjamin Church. The proportion of Monomoit for this company was one man and one arm. In the following October the "raters" of Monomoit were required to raise 7 pounds as its proportion towards the expenses of the war. In 1690 two men and one arm were required from Monomoit for the expedition against Canada and a further sum of 18 lbs. 8s. 9d. for war expenses. Capt. Church this year raised another company in the Colony to go against the Maine Indians. The names of those who went with him on his two expeditions are not preserved. They were probably Indians.⁴⁷ On the Canada expedition with Sir William Phipps were Daniel Hamilton

47. "The Cape Indians," according to Capt. Church, "were very bare; lying so long at Boston before they embarked, that they had sold everything they could make a Penny of, some tying Shot & Powder in the corners of their Blankets." This refers to the expedition of 1689. Church, *History of the Eastern Expeditions*, I, 61.

later of Monomoit, and James Stewart and James Cahoon, who may have been residents there. The subsequent part of this contest belongs to the period covered by a succeeding chapter and will be considered therein.

In June, 1690, four citizens of Monomoit, William Nickerson, Hugh Stewart, William Mitchell, and Nicholas Eldredge, appeared before the Plymouth Court and, on taking the oath, were admitted as freemen of the Colony. At the same time William Nickerson was appointed inspector of whales for the village.⁴⁸

As before stated, the growth of the place had been very gradual up to this time. In 1690 it was still one of the smallest places in the Colony. Only one other locality in Barnstable County was smaller, as appears by the following assessed valuation for that year: Barnstable 3000 lbs.; Yarmouth 2777 lbs.; Sandwich 2500 lbs.; Eastham 2500 lbs.; Monomoit 505 lbs.; Succunnessett [Falmouth] 405 lbs.⁴⁹ People were prevented from settling partly because there were no adequate church privileges and partly, no doubt, because the village was especially exposed to danger from the Indians. There were Indians on the west and north in the present Harwich and Brewster, and on the east in the present easterly portion of the town. It will be remembered that William Nickerson Sen. did not purchase all of Monomoit from the natives. That part east of a line from Frostfish Creek to the head of the Oyster Pond and thence to the Mill Pond, still remained in their possession. Mr. Nickerson had authority from the Court to purchase it, if they would sell, but did not avail himself of his rights further than to secure the meadow about Tom's Neck, as heretofore stated. About 1690, however, the English began to enter this tract, which contained much desirable cleared land, well located near the water. William Nickerson, the son of the first settler, was prob-

48. Plym. Col. Rec. VI, 251.

49. Plym. Col. Rec. VI, 251.

ably the first to enter. By deed, dated August 29, 1689, he purchased of three grandsons of Mattaquason, named apparently Dogamus, Richard Stephen, and Richard Mortaquit, the greater part of the land at Cotchpinicut Neck (Old Harbor) and by subsequent transactions extended his holdings westward to Frostfish Creek. Buildings were erected and the locality became his residence.⁵⁰ Early in 1691 Mr. Samuel Smith of Eastham purchased of John Cousins, Indian, and his mother the territory owned by them at Tom's Neck, comprising a considerable part of the present village, Mrs. Covell also releasing to him her rights of purchase derived from her father.⁵¹

He must have erected dwellings soon after and either occupied them himself temporarily or spent much time there in supervision. In August, 1695, he was chosen by the village as commissioner to carry a list of its "rates" and an account of its "effects" to the shire town, an office for which he would scarcely have been selected, unless intimately connected with the village affairs.⁵² After his death

50 "Nathaniel Nickerson about 39 years of age testifieth and saith: When I was a little boy, my father William Nickerson built a Dwelling house a little distant from the now Dwelling house of my brother Thomas Nickerson Senr on some part of the land called Chotehpinaicot on part of the lands which he my sd father William Nickerson bought of Dogamus & Richard & Mortaquit by one deed bearing date August 29th 1689 which sd lands to my knowledge by constantly observing the bounds thereof at all time & times heretofore since my time by living a long time thereon by times is distinctly luted & bounded from those lands in Chotehpinaicot which Dogamus, Richard & Stephen Indians mortgaged to Mr. Samuel Smith by Deed of Mortgage bearing date 14th day of August 1693 so that the land contained in sd mortgage deed has always been accounted to be out of the bounds which my sd father had by his above sd deed * * * *."

Dated March 24, 1719-20. Files Superior Court of Judicature, No. 13,780.

51. These two necks had been given many years before by Mattaquason to his two daughters, Cotchpinicut Neck to Sarah, wife of Stephen and mother of Dogamus, Stephen and Mortaquit, and Tom's Neck to ——— wife of Cussens or Cousins, and mother of John Cousins. Files Superior Court of Judicature, Nos. 13,717 and 15,919; Chap. V, note 59.

52. Mr. Samuel Smith (he is styled "Mr." in the records) the son of Ralph Smith of Hingham, England, later of Hingham and Eastham, Mass., was baptized at Hingham, Mass., July 11, 1641, and married at Eastham Jan. 3, 1667, Mary, daughter of Giles Hopkins, who came over with his father, Stephen Hopkins, in the Mayflower. He early engaged in the whale and mackerel fishery and was very successful; later he was a trader and innkeeper at Eastham. His homestead was at Billingsgate. He owned at one time 400 acres in the South part of the town, known as the Smith purchase. This

in 1697, his son John Smith and his son-in-law Daniel Hamilton came into possession of this tract.

he sold Nov. 1, 1681, to a large number of his townsmen. He held various local offices. Judge Samuel Sewall mentions him in his Diary.

His interest in Monomoit began with the purchase of the farm of John Savage, which he evidently bought as an investment, placing William Cahoon in charge of it.

His deed of Tom's Neck from John Cousins and his mother was dated Jan. 4, 1690 [11] and was recorded May 6, 1691, in Book 1, folio 66 of Old Barnstable Deeds. It conveyed to him "All that our parcel of land lying & being at Monamoy at a place commonly known by the name of Toms Neck bounded by a white oak on the southeast side of said neck nigh the water side and to the water and from said white oak northwesterly across said neck to a white wood tree marked on the northerly side of a little swamp that bath a tresh pond in it and so on the same range to the cove called Toms Cove & so round said neck by the water both meadow & upland until you come to or against the afore-named white oak tree with all privileges & emunities, ways & easements & appurtenances thereto belonging or any ways appurtaing with all woods standing or lying on said bargained premises with privilege of pasturing & feeding fat cattle on the rest of said neck not yet purchased."

The deed from Sarah Covell was dated March 10, 1690-1, and was recorded May 6, 1691, in Book 1, folio 65 of said Deeds. It conveyed "all that my parcel of land lying & being at Monamoy aforesaid known by the name of Toms neck both upland & marsh as it was granted by the Court of Plymouth aforesaid bounded as followeth, the first bound is about four or five poles from the mouth of the meadow on the north side of the Cove called Toms Cove & from thence rangeing across the said neck to a rock which lyeth in the Bay about half tide and so the whole neck of land is bounded from said rock round ye neck by the water side until you come to the bound marked first named." (From certified extracts from the above two deeds given the author by the late Rufus Smith, Esq.)

Mr. Smith also acquired an interest in a part of Cutchpicut Neck by a mortgage dated Aug. 19, 1693, and given by the grandsons of Mattaquason above mentioned. This mortgage which secured payment of £20, 8s. 6d, was assigned by Mr. Smith on March 6, 1694-5, to Mercy Nickerson, wife of William Nickerson, who foreclosed the same and acquired the property. The land therein described is a tract "lying and being at a place called cospinica in sd Monamoy in ye County of Barnstable aforesaid & bounded as followeth: that is to say, by ye lands of Thomas Nickerson on ye Southeast & bounded by ye herring River on ye Northwest & butting upon ye Bay." The Herring River here mentioned is undoubtedly Frostfish Creek. This mortgage is interesting as showing the necessity which the people were then under of guarding themselves against the shiftless habits of the Indians. It provides that "if it shall happen that at ye abovesd day of payment [i. e. two years from date] sd Money Remain unpaid and ye value of ye abovesd land then not amounting to ye abovesd sum, that then it shall be lawful for ye sd Samuel Smith to selze ye Bodys of ye abovesd Dogginus, Stephen & Richard and cause them or any of them to work it out, but for ye prevention thereof & that the sd Dogginus, Stephen and Richard might be ye more likely to Redeem their lands agatu do by these presents bind & oblige their selves unto sd Samuel Smith to do him faithfull service, when he shall call them thereto until ye abovesd sum of money be paid." Files Superior Court of Judicature No. 3,297.

By deed dated June 27, 1694, in company with William Nickerson, he purchased of John Quason Jr., another tract in the easterly part of Monomolt, Nickerson taking one third part and he two-thirds. (D. H. Howes papers.) He died at Eastham March 22, 1696-7, leaving an estate of over 1200 pounds, including over 50 neat cattle, 60 sheep and a large number of horses. His widow, Mary, survived him several years.

Children of Samuel and Mary (Hopkins) Smith: (East Rec.) 1. Samuel, b May 26, 1668; d. Sept. 22, 1692. 2. Mary, b June 3, 1669; m. Daniel Hamilton of Eastham about 1693. 3. Joseph b April 10, 1671; d. Sept. 22, 1691. 4. John b May 26, 1673. 5. Grace b Sept. 5, 1676; d. Dec. 1, 1691. 6. Rebeckah b Dec. 10, 1678; d. young.

These new signs of activity and growth in the little community were almost contemporary with another important event in its history, the annexation of a large territory along the "South shore," nearly all belonging to the "purchasers or old comers" and including the greater part of the present town of Harwich. The westerly boundary of the village, since its establishment as a constablewick in 1679, had been the westerly limits of William Nickerson's purchase. These limits were settled not long after 1675, pursuant to an order of the Colony Court of that date,⁵³ but the record of them, if made, has since been lost. The bounds then fixed were, however, renewed in 1703 and the record of their renewal shows that they were substantially the same as the present bounds between Harwich and Chatham.⁵⁴ West of these bounds the territory for a

53. This order reads as follows: In reference unto the difference between some of the "purchasers" and William Nicarson about the title of land att Mannamolett, exhibited to the Court, the one by his petition and the other by their remonstrance given into the Court by Thomas Clarke and Jonathan Bangs in the behalfe of several others, the Court have appointed Mr. Hinckley, Mr. Gorum, and Jonathan Sparrow to sett the bounds of their lands between them, according to the Court's graunt unto the freemen that have interest with the said Nicarson therein; and that they take specciall regard that they leave noe vacant lands between their inhabited lands and the sea or water and if Mr. Hinckley can not attend to it Captain Howes to supply his place in it. Plym. Col. Rec. V, 171.

That the bounds were fixed pursuant to this order is shown by the following extract from a statement of the Harwich selectmen made in 1705: "We desire further to inform you that when Monamoy did first obtain the privilege of a constablewick [i. e. in 1679] there powers extended noe further then to the bounds *settled between them and the proprietors*" of what is now Harwich, "*and hath been renewed since by both parties.*" State Archives. Vol. 113, 375.

54. "We hos nams are hereunto subscribed, being chosen and apointed by the proprietors of Lands lying within the reserve of the purchasers meet by appointment to run the range and *renew* the bounds between the purchasers of Harwich and the proprietors of Manomol viz: a polne knot drove into the march on the Easterly side of the read river and so runing northerly to the head of the swamp where the sd river lshshons oute and to a poine tree marked on two sides H-M and so runing a longe a valey, trees marked, and from sd vally to a grasy pond, a polne tree marked on the Southerly side, and so runing a crose sd pond to a poine tree marked H-M neare and on the Southerly side of the high way which leads to the herring river from Manomoleck and from sd poine tree as the way leads to Manomoleck unto a white oak tree marked on tv o slds on the Sutherly side of the high waye nere land that is in the occupation

considerable distance had been under the jurisdiction of Eastham since 1659.⁵⁵ The exact line where the authority of Eastham stopped and that of Yarmouth, its neighbor on the west, began, was never definitely determined. It, doubtless, ran from Sauquatuckett River or Stony Brook, established as the boundary in 1659, south to the "South Sea." The greater part of the present Harwich east of the Herring River was, therefore, within the jurisdiction of Eastham, while Yarmouth claimed authority over the tract on each side of that river. In 1667, one John Mecoy obtained a grant of thirty-six acres on or near Coy's Brook, in the Yarmouth limits, and was a settler there for a number of years.⁵⁶ Shortly before 1688, Mr. Gershom Hall and his son Samuel settled on or near Mecoy's grant, on a tract lying between Coy's Brook and Herring River.⁵⁷ They came from that part of Yarmouth, now Dennis, and continued to pay their "rates" to that town. No settlement appears to have been made in that part of Harwich which was under the jurisdiction of Eastham till after 1691, when the jurisdiction of Monomoit was extended over it. Mr. Gershom Hall was a man of superior gifts and intelligence, although not college bred. He was a zealous religious leader and, after the death of William Nickerson Sen., may have been called upon by the settlers at Monomoit to lead their Sabbath services. At

of Joseph Nickorson and from sd tree easterly to the Muddle Cove a stake stuck in the march on the Westerly side of sd river.

May 28, 1703.

A true Copy taken
out of the Book of
records of Harwich
June 25, 1703.

Thomas Freeman
Town Clerk.

Jonathan Bangs
Stephen Hopkins
Thomas Freeman
William Nickorson
the mark of X
Nathanl Covell
Thomas Nickorson"

(State Archives, Vol. 113.)

55. Plym. Col. Rec. IV, 165.

56. Plym. Col. Rec. IV, 159.

57. Deyo's History of Barnstable Co., 835.

all events he came into close relations with the Monomoit people, and it was considered to be of mutual advantage that this outlying Hall settlement should be added to that place. Accordingly, in February, 1691, the following petition was presented to the Plymouth Court.

“To the Hond. Generall Court of Plymouth.

The Humble Petition of ye Inhabitants of ye Village of Monamoy.

Whereas we being settled upon a neck of Land not large enough for to accomodate People enough for to carry on affairs as in other towns, And there being severall families settled along the sea side Between us and the Herring river which are desirous to belong to us, they being very remote from other towns and near to us.

We do humbly request of ye Honoured Court for to take it into their Consideration that if it may be Granted our Constablerick may extend as far as the Herring river so that we may be in a capacity to go on with affairs in an orderly way as in other towns. * * * *

We rest your Humble Petitioners whose names are underwritten In the Behalf of ye Town. (?)

Monamoy ye 11th of Feb. 1690 [-1].

Nicholas Eldredge
William Griffith
Hugh Stewart
William Mitchell.”⁵⁸

This petition was acted upon by the Court on the same day it was presented, as appears by the following copy of the original decree:⁵⁹

“At a Generall Court att Plimouth ye 11th of February 1690 [-1].

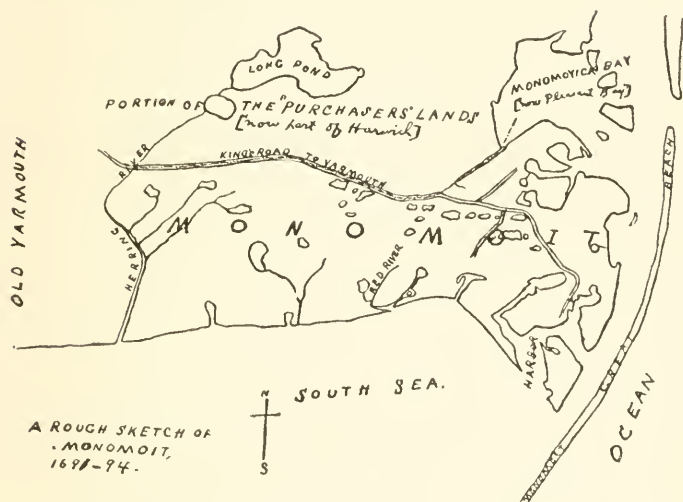
In answer to ye petition of ye Inhabitants of Monamoy for enlargement of the Bounds of their Constablerick, It is granted by this Court that the Constablerick of the Village of Monamoy shall extend from the head of the Muddy Cove along the Cart way to the Herring River, which is the bounds between said Monamoy and Yarmouth and Eastbam for the present till the Court see cause to alter it, onely the rates already made to be paid to the constable of Yarmouth; and they have power to collect and gather ye same notwithstanding said grant.”⁶⁰

58. State Archives, Vol. 113.

59. In the Colony Record this decree is inserted among the orders passed in March, 1691, but the above copy shows that this must have been a mistake and that the decree was actually passed in February.

60. State Archives, Vol. 113.

The territory thereby added to Monomoit equalled, if not exceeded, in area the original limits of the constable-wick, as the accompanying sketch shows.



At the same time that the foregoing order was passed, liberty was granted "to the inhabitants of the vilage of Monamoy to chuse and send a deputy to the Generall Courts that shall hereafter be in this Colony," and in the following spring Mr. Gershom Hall was elected as the first deputy from the vilage.⁶¹ He was, also, the only one chosen under the Plymouth Colony, inasmuch as early in 1692 the consolidation with the Colony of Massachusetts Bay took place. Monomoit had now attained nearly all the privileges of a town, but it was not incorporated as such, because it could not yet support a settled minister. There is no doubt that from 1691, if not earlier, it exercised all the functions of a town, choosing a full set of town officers, &c.

The number of settlers at the time the place became a

⁶¹ Plym. Col. Rec. VI 256. It is said that Mr. Hall did not actually attend.

part of the Bay Colony can be only roughly estimated. The following heads of families then resided there without much doubt: William Cahoon, Mrs. Sarah Covell, Nicholas Eldredge, Robert Eldredge, William Eldredge, Joseph Eldredge, Samuel Eldredge, George Godfrey, Jr., William Griffith, Gershom Hall, Samuel Hall, Tristram Hedges, Caleb Lambert, William Mitchell, Robert Nickerson, Robert Nickerson, Jr., Samuel Nickerson, John Nickerson, William Nickerson, Joseph Nickerson, Hugh Stewart, Edward Small, John Taylor, Nathaniel Tomlon. There may have been a few others.⁶² Reckoning each family as containing seven persons, the population would be about 150 persons. It probably did not exceed 200.

During this early period there was, as we have seen, no settled minister. Public schools, were, also, unknown. The Colony law required parents to see that their children were taught to read, to know the fundamental laws and the grounds of religion and that they be trained for some calling, but places having less than 50 families were not required to support a school. In fact, the provisions made for the mental and spiritual welfare of the Indians at this period appear to have been greater than those made for the English settlers. At an early period Mr. Richard Bourne had interested himself in the Cape Indians, had mastered their language and in August, 1670, was ordained pastor of an Indian church at Mashpee, which he had organized. His report of the Cape Indians, made in 1674, shows that at Monomoit there were then 71 praying Indians, of whom 29 could read their own language, 15 could write it and one could read English.⁶³ This result must have been due wholly to Mr. Bourne's efforts. He was their general adviser and friend in these early days.

62. Abraham Johnson, James Maker, John Paddock and David Melville were early land owners there. Johnson and Paddock may have been residents.

63. Mass. Hist. Coll. (1st series) 1.

Soon after the settlement of Rev. Samuel Treat at Eastham in March 1675, the care of the Indian souls in the lower part of the Cape was surrendered to him and Mr. Bourne's ministrations were less frequent. Mr. Treat entered upon the work with zeal, mastered the Indian language and translated the Confession of Faith into the Nauset dialect. In 1685, the number of praying Indians at Monomoit was reported by Governor Hinekey as increased to 115. Indian Nicholas, sometimes called Indian Nick, was their teacher.⁶⁴ At an early date, through the efforts of Mr. Treat, a meeting-house was erected for their benefit, where they regularly assembled for instruction and worship. It stood on the south side of the road to Harwich, a little east of the late East Harwich parsonage. The Society for Propagating the Gospel in New England, doubtless assisted in its erection. It also paid the salaries of the English and native Indian teachers.

The work accomplished by Mr. Treat is reported by him in 1693 as follows: "There are 505 adult persons of Indians within the limits of our township, [Mr. Treat doubtless intends to include in this estimate all the Indians in the easterly portion of the Cape],⁶⁵ into whom these many years past,⁶⁶ I have from time to time imparted the gospel of our Lord Jesus in their own language (and I truly hope not without success) and yet I continue in the same service earnestly imploring, and not without hopes, expecting and waiting for a more plentiful downpouring of the spirit from on high among them, and I verily do not know of nor can I learn that there is so much as one of these five hundred Indians that does obstinately absent them from, but do jointly frequent and attend on the preaching of the word and countenance of the same, &c.

64. Mass. Hist. Coll. (1st series) II.

65. It should be remembered that Eastham at the date of this report extended south to Monomolt village or constablawick.

66. From 15 to 20 years.

They have four distinct assemblies in four villages belonging to our township, in which four assemblies they have four teachers of their own choice, of the more sober well-affected and understanding persons among them, who duly preach to them, when I am not with them; these Indian teachers repair to my house once a week to be further instructed (*pro modulo meo*) in the concerns proper to their station.

There are in the four abovesaid villages four school-masters (of the best accomplished for that service) who teach their youth to read and write their own language. There are also six justices of the peace (or magistrates) in the four abovesaid villages who regulate their civil affairs and punish criminals and transgressors of the civil law;⁶⁷ they have their stated Courts and other inferior officers in a subserviency to their civil good order. There are among them many of a serious, sober civilized conversation and deportment who are making essays towards a further progressive step of obedience and conformity to the rules of the Gospels, viz: an "ecclesiastical combination," having a great desire to be baptized. They are very serviceable by their labour to the English vicinity and have all along since our wars with their nation been very friendly to the English and forward to serve them in that quarrel. Their deportment and converse and garb being more manly and laudable than any other Indians that I have observed in the province.⁶⁸

This report is somewhat highly colored, but it is, indeed, true that the Indians of Cape Cod and vicinity were exceptional in their docility and tractability.

67. These Indian Courts were feeble Institutions under the tutelage of the English Courts. They did not long survive.

68. Letter to Rev. Increase Mather dated August 23, 1693, in Mather's Magnalia.

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ASTOR, LENOX AND
TILDEN FOUNDATIONS.

CHAPTER VII.

THE EARLY SETTLERS.

OF the early settlers of Monomoit outside of the William Nickerson family, the first was probably John Downing. It is likely that he came from Yarmouth. Together with Nicholas Eldredge, son of Robert, he was a witness to the deeds of William Nickerson, Sen., to his children in February, 1674, and it is probable that he was then occupying the farm at the "Oyster Pond furlong" which he bought of Nickerson, lying just west of the Robert Eldredge farm. The Downing farm comprised 60 acres, extending from the highway, (then a cartway through gates and bars) to the Oyster Pond river. It was bounded "Northwest by ye highway, Southwest by a Great Rock & a Creek that runeth to ye Oyster Pond River, Southeast by ye sd River and Northeast by a ditch of Robert Eldredge & a line ranging from ye sd ditch to ye aforesd highway."¹ The great rock and creek can be seen to-day. The farm late of James Eldredge is on this location. Not long prior to 1686 Downing sold to Elisha Hedge of Yarmouth, a real estate trader of that day, and removed, it is believed, to the northwest side of Pleasant Bay. He died before 1702,² leaving sons John, Joseph, Benjamin and perhaps Robert.

1. Deed from Elisha Hedge to Nicholas Eldredge dated March 22, 1685-6. (Certified copy in M. L. Luce papers.) For the approximate location of the farms described in this chapter see the map at the end of the chapter.

2. Deed from William Nickerson et al to Michael Stewart, dated Oct. 12, 1702. (Certified copy in M. L. Luce papers.)

Neither his estate nor those of his children were settled in the Probate Court.³

Teague Jones came first to Yarmouth soon after its settlement, being then a young man. In 1645 he was one of five men sent out by the town as its quota for the expedition against the Narragansett Indians. They set out August 23 and returned September 2.⁴ According to the public records, he was not altogether a desirable citizen. In 1653 he and Richard Berry were ordered "to part their uncivil living together."⁵ In 1655 he had a dispute with an Indian, Mashantampaine, about a gun, which the Court ordered to be restored to the Indian.⁶ In 1667 he was complained against for not coming to meeting.⁷ His fondness for strong drink, also, caused him trouble with the authorities.⁸ He was living in 1667, or about that time, in the south part of Yarmouth in a house on the west side of

3. For genealogical information about this family see the following deed: "Samuel Ellis of Harwich in the County of Barnstable in the Province of the Massachusetts Bay in New England & Mary his wife of the sd Saml Ellis, Datr of Joseph Downing Deed which sd Joseph Downing left only the sd Mary Ellis & the now widow Eliza Nickason & no other Children & the sd deed Joseph Downing having two Brothers, namely, John Downing and Benjamin Downing which his sd two Brothers both Died without Issue all which sd Joseph Downing John Downing & Benja Downing were Soldiers in the Narraganset Indian Wars & for that Service have each ones Heirs a Right or Share of Land granted by the Genrl Court of the Massachetts Bay in that Township laid out to sd Narraganset Soldiers called Gorham Town, being the Seventh Township, being in the County of York in the Province above sd; there is only the sd Mary Ellis & Eliza Nickason are the next Heirs Apparent to sd Joseph Downing & John Downing & Benja Downing and the sd Samuel Ellis & Mary Ellis having Direction from the sd Eliza Nickason so to Do," convey to Joshua Eangs of Falmouth in the County of York in the Province abovesd Gentl, by deed dated July 10, 1739, "all the Three Shares Laid out or granted to be Laid out in sd Township to the Names of the sd Joseph Downing John Dowling & Benja Dowling, which is to each of sd Names one hundred & twentieth part of the Lands in sd Township." Consideration, twenty pounds. Witnesses, John Wing Junr, Jonathan Bangs Junr. Recorded Apr. 6, 1740. York Co. (Me.) Deeds XXII, 33.

In a deed from John Spison, Indian, to his son, Amos, dated April 3, 1708, conveying land at "Potonumecot" (So. Orleans), one of the boundaries is "by ye land of Robert Downing." (Josiah Palme papers.) This may have been another son of John, Sen, who died without issue.

4. Plym. Col. Rec. II, 91.

5. Plym. Col. Rec. III, 37.

6. Plym. Col. Rec. III, 88, 90.

7. Plym. Col. Rec. IV, 153.

8. Plym. Col. Rec. III, 200; IV, 29; V, 254.

Bass river, near Stage Island, where he had a farm.⁹ By deed dated February 14, 1673-4, he bought of William Nickerson, Sen., a farm at Monomoit, bounded north by the White pond and land of John Nickerson and east by "the highway that leads into the Inlands." It was in a locality which the Indians called Ockpeset or Ockepset. By the same deed he obtained six acres of upland at the Oyster Pond furlong, two acres of meadow at the head of the Oyster pond, two acres more on the south side of the Oyster pond and thirty acres of meadow at Gregory's Neck, being the neck at the east side of Taylor's pond, South Chatham.¹⁰ By deed dated December 27, 1675, he added to the above farm a tract of five acres on the east side of it, lying between a pond and the highway and bounding east on land of Edward Cottle.¹¹ This lot was evidently in the vicinity of the Kendrick and Flynn houses, West Chatham. He lived several years at Monomoit, selling out before 1686, possibly before 1683, to Mr. Elisha Hedge,¹² and

9. Testimony of John Chase, Conn. Quarterly, (1897) 359.

10. The detailed description of this farm is worth preserving. Upland, "several acres [probably 30 or more] bounded northly by ye Lands of John Nickerson & partly by ye Pond Caled ye White pond & Rangeth from an Oak tree marked one four sids (which is ye Bound mark tree between John Nickerson & itt) toward ye South East to a markt pine tree that stands near a pond & thence Rangeth Westerly by ye sd pond throw a Swamp to a markt tree standing by the highway thatt Leads into ye Inlands & thence Westerly through a Swamp to a place where ye Ginerall fence formerly stood, which is near to ye hed of ye aforesd White pond & persell thereof att a place caled ye Oyster pond furlong Containing six accors, be itt more or less, Bounded Westerly by ye lands of Trustom Hedges, Easterly by ye lands of Nathantel Covill, Northerly by ye Way Laid outt at ye head of ye Lotts & Southerly by ye Creek Where [it] coms out of ye sd Oyster pond.—Meadow, two acres "att ye hed of ye sd Oyster pond Bounded northerle by ye upland & Southerle by a Swamp."—Meadow, two acres, "yt Lyes att ye Great Neck att ye Lower End of ye sd Oyster pond one ye South side thereof."—Meadow, "several acres [30 acres in fact; see settlement of estate of Nicholas Eldred] Lying att Masapoksett one ye Weaste End of a neck of——caled Greegories Neck from ye Beach to ye Creek yt Runs Southerle out of ye pond Commonly Caled ye Little Oyster pond & is Bounded by sd crick as itt Runs into ye Sea." M. L. Luce papers.

11. "All yt parcell of land lying by a frech pondez side next to his [Jones] lote caled ockpeaset, the pond is his northerly bounds and ye highway is his southerly bounds and his easterly bounds is a crose fence that Ranges from the bares to the ponde, that fence devld between the lote that Edward Cottell bought of me [William Nickerson] & ye Westerly bounds Ranges by ye highway untill it coms up square with teage Jones fold fence which is the bound mark of Ockpeakett lote." M. L. Luce papers.

12. Deed from Elisha Hedge to Nicholas Eldredge dated March 22, 1685-6. M. L. Luce papers.

returning to Yarmouth, where he was living as late as 1691. He died before 1702.¹³ There is no settlement of his estate and no record of his family. By deed dated May 29, 1691, he conveyed his farm on the west side of Bass river, where he lived before coming to Monomoit, to his son Jeremiah, who was then occupying it.¹⁴ Josiah Jones, doubtless his son, and Joseph Eldredge, son of Robert, then owned farms adjoining.¹⁵

Thomas Crow or Crowell, born about 1645, was the son of John and Elishua Crow, one of the earliest settlers of Yarmouth. He probably married and lived for a time in Yarmouth, but there is no record of his children there. By deed dated February 14, 1673-4, he bought of the proprietor of Monomoit a tract adjoining and north of Cockle Cove, (Buck's Creek), the locality being called Seaquanset by the Indians. His land extended north to the highway (now the State highway to Harwich) and lay on the east side of a cartway from the highway to the meadow of Joseph Nickerson at said Cove and to the marsh of Tristram Hedges south of it at Ragged Neck. Mr. Crow erected a "dwelling house" on the east side of this cartway. He also bought at the same time a lot of meadow at Matchpoxett (Red River Neck) west of and near Taylor's pond.¹⁶ This property he sold by deed dated August 13,

13. See deed from William Nickerson et al to Michael Stewart dated October 12, 1702. M. L. Luce papers.

14. Files Superior Court of Judicature No. 9838.

15. Children of Teague Jones and ———: 1. Jeremiah, b. before 1650, m. 1st ———, 2nd widow Elizabeth Hall, Apr. 27, 1699. (Yar. Rec.) He died Nov. 4, 1705, and administration was granted on his estate Jan. 3, 1705-6, to his son John. His widow died June 17, 1714. Children of Jeremiah (according to Freeman's History of Cape Cod): John, Elizabeth, Sarah, Hannah, Rebecca. 2. Josiah, b. ———, m. Elizabeth Berry, daughter of Richard, Nov. 28, 1677. (Yar. Rec.) 3. Quite probably, Elizabeth, who married Joseph Eldredge, son of Robert. 4. Probably other children unknown.

16. "Beginning at ye East End at a dead Stump standing on ye side of a high bank near to Robert Eldred's meadow & thence ranging Northerly per markt trees to a pine tree markt on four sides standing by a way side and thence ranging westerly as ye highway goes to ye Marsh and bounded Southerly by a Cove of water, Containing also all that meadow lying against it, bounded on ye one side by ye meadow of Robert Eldred's & on ye other side by ye meadow of Tristram Hedges lying at a place commonly called by ye Indians Seaquansit at sd Manamoet. And one parcel of meadow at a place there called Maspoxkeet on ye Wester side of a river which runs out of a pond called ye little oyster pond & from thence westerly to ye first Creek & is bounded by ye sd Creek as it runs into the main Creek." M. L. Luce papers.

1683, to Hugh Stewart of Yarmouth and removed to the latter place, locating near Bass pond.¹⁷ He died March 9, 1689-90, aged 45 years.¹⁸ There was another Thomas Crow of Yarmouth, a son of Yelverton Crow. His children are recorded on the Yarmouth records, as being born between 1685 and 1700, showing that he was probably not married till about 1683, and making it altogether unlikely that he was the one who bought land and erected buildings and ran a farm at Monomoit ten years before that date. On March 15, 1689-90, an inventory of the estate of Thomas Crow, son of John, was taken by Jeremiah Jones and Isaac Chase, both of Yarmouth, and on April 18 following the eldest son John and his brother Thomas, agreed upon a settlement of the estate between them, undertaking to maintain their mother, Agnes, as long as she should remain a widow.¹⁹ No mention is made of any other children.²⁰

Edward Cottle, son of Edward Cottle of Salisbury, Eng., and brother of William Cottle of Newbury, Mass., was a resident of that part of Salisbury, Mass., later Amesbury, from about 1650 to 1668 or 1669, when, having had two houses burned, the last one by the Indians, he removed with others to Nantucket, where he was living as late as September, 1675. He was a land owner at Monomoit in December of that year.²¹ He had land on the east side of the Great Hill,²² and on the north side of the highway near Doane's corner, West Chatham, adjoining land of Teague Jones.²³ In March, 1677-8, he and his wife were engaged

17. M. L. Luce papers.

18. Crowell Genealogy; Barnstable Probate Records.

19. Barnstable Probate Records; 11 Mayflower Descendant 26

20. Children of Thomas and Agnes Crow or Crowell: 1. John b. —, m. Sarah O'Killey, dau. of David of Yarmouth, about 1689. 2. Thomas, b. —, m. Elizabeth Jones, dau. of Jeremiah of Yarmouth, about 1690.

21. Note 11 supra.

22. Deed from William Nickerson to Nathaniel Covell. Plym. Col. Deeds, IV, 172.

23. Note 11 supra.

in some quarrel with members of the Nickerson family.²⁴ He sold out about 1685 and removed to Martha's Vineyard, where he was living as late as 1710. He died before June, 1712.²⁵ He has descendants still living on the island.²⁶

John Savage. The following appears upon the Nantucket records: "1672-5-4 The Town hath granted unto John Savidge Ten akers of land to build upon and commonage for Three Cows, Twenty Sheepe and one horse, as also Liberty of wood for firing and fencing stuf, and any stuf for his Trad (his house lot is to be in the most convenient place that is common) on condition that he build and Inhabit on this Iland before the first of March next and not depart by removing for the space of Thre years and also to Follow his Trade of a Cooper upon this Iland as the Town or whale company shal have need to Imploy him—his commonage is granted for so long time as he stay heere." This offer was accepted, but it seems that he did not remain the full term. By deed dated January 8, 1674-5, he sold his house and land to an Indian, Jacob the Weaver,²⁷ and next appears at Monomoit. By deed dated

24. Plym. Col. Rec. V, 253, 254.

25. Tisbury Town Records.

26. "I, ye said Edward, Cottle, obtained amongst other lands in said Amesbury a tract of land called ye Lyon's Mouth, being a neck of lands * * * & built & erected a sufficient house & said lands possessed many years peaceably, which house being providentially burnt with my goods, I, then built a small house att a place called Jamaica [W. Amesbury] wthin ye same township, wch being burnt by the Indians & not being so able in estate as some other of my associates in said parts was necessitated to try what success I might have by removing to ye Southward part of New England, hoping ye Eastern parts might obtain a settled peace that I might then return to my inheritance again, but matters occurring contrary, I purchased a small settlement at ye Town of Tisbury in Dukes County & now being grown aged and out of hope of ever returning." Extract from deed dated 1710, Essex County Deeds XXII, 201.

Children of Edward and Judith Cottle: 1. Edward, b. Jan. 17, 1651-2, d. June 15, 1653; 2. Mary, b. Nov. 1, 1653, probably m. Samuel Bickford; 3. Benjamin, b. Nov. 2, 1655, d. before 1710; 4. Sarah, b. Mar., 1657; 5. Judith, b. Mar. 25, 1659, d. young; 6. Elizabeth, b. Apr. 19, 1663 (In 1670 she was to live with Thomas Barnett Sen. of Amesbury till 18 years of age); 7. Edward, b. Sept. 28, 1666 (eldest son in 1710 and living in Edgartown); 8. Judith, b. at Nantucket Apr. 13, 1670; 9. Lydia, b. at Nantucket May 17, 1672; 10. Ann, b. at Nantucket Mar. 3, 1674; 11. John, b. at Nantucket Sept. 7, 1675; 12. James, probably b. at Monomoit, living at Chilmart in 1709.

27. Nantucket Deeds, II, 11.

September 18, 1677, he bought a farm of William Nickerson Sen, comprising sixty acres of upland and six acres of marsh. Of the sixty acres twenty formed a neck of upland "bounded partely by the herring brooke and partely by the marsh on the North and by a little brooke which issues out of the swamp on the south and devides between it and land of William Nickerson Junr and by the highway on the east." The remaining forty acres, being upland and swamp, "bounded easterly by the aforsaid highway, West-erly by the lands of Trustrum hedgis, Southerly by the lands of Nathaniel Covell and Northerly by the lands of Robert Nickerson." The marsh land adjoined the "Easter-most bounds of the said necke of upland" and was bounded "Easterly by a cove of salt water and northerly by the marsh of Nathaniel Covell according to the known bound-aries thereof and southerly by the aforsaid brooke."²⁸ Mr. Savage was constable in 1681 and was living at Monomoit as late as 1683.²⁹ He sold to Mr. Samuel Smith of Eastham before 1690³⁰ and removed to Pamet (Truro), where he was one of the earliest proprietors. His will, dated August 21, 1708, was proved October 6, 1708. His wife Katherine survived him.³¹

Ensign Hugh Stuard or Stewart was of Yarmouth as early as 1674, where he settled the estate of Thomas Phelps or Phillips.³² From a tax levied in 1676 to defray the expense of the Indian War, it appears that he was the fourth largest tax payer in the town.³³ He purchased of Thomas Crow, by deed dated August 13, 1683, the farm of

28. Plym. Col. Deeds IV, 309.

29. Plym. Col. Deeds V, 508.

30. See estate of Samuel Smith, Barnstable Probate Records.

31. Children of John and Katharine Savage: 1. Susanna, b. at Nantucket Mar. 23, 1673, m. Berlah Smith of Eastham June 16, 1702, (East. Rec.); 2. John, b. at Nantucket June 24, 1674, (not mentioned in his father's will), 3. Ebenezer, b. at Mono-molt, m. Joanna Newcome of Eastham Mar. 30, 1703, (East. Rec.) 4. Jonathan, b. at Monomolt, mentioned in the will. I find no trace of him.

32. Plym. Col. Rec. V, 153, 273.

33. Freeman, History of Cape Cod, II, 195.

the latter at Seaquanset, with the dwelling house and other buildings erected by Crow thereon, and removed thither soon after.³⁴ Seven years later, by deed dated September 8, 1690, he purchased of Sarah Covell, widow, a tract west of and adjoining his other land, having bargained for the same with William Nickerson Sen. before his decease.³⁵ He was constable in 1685, took the oath of freeman in 1690, was selectman in 1699 and held other local offices. He was also one of the first members of the church in Monomoit. His will, dated March 5, 1710-11, was proved January 25, 1715-16. He describes himself therein as being "well stricken in years," and gives his property after the decease of his widow Wait, to his three sons Joseph, Ebenezer and Samuel (his eldest son, Michael, having had his share), they paying legacies to their sisters Temperance, Katharine Nickerson, Joanna, Marcy Hall and their niece, Lydia Covell.³⁶

34. M. L. Luce papers. See note 16 supra.

35. "Ye first bounds ls right against ye said Hugh Stewart's House where ye Cartway which goeth from sd Hugh Stewarts which goeth into ye woods Crosseth ye Cartway which goeth to Joseph Nickersons meadow above sd & so ranging by ye said Cartway side Northwest or thereabouts to ye head of ye Swamp which ye little brook runeth out of which runeth into Joseph Nickerson's meadow to a pine tree standing at ye head of sd Swamp, and from ye sd tree ranging through ye sd Swamp by ye sd brook side till you Come to Joseph Nickerson's marsh & so along by ye side of ye sd marsh to Trustrun Hedges meadow & so ranging Easterly or thereabouts by sd Hedges meadow till you come to ye bounds of ye lands which is sd Hugh Stewarts which was bought before & from thence to ye first bounds above mentioned" along the cartway to the meadow. (M. L. Luce papers)

36. Children of Hugh and Wait Stuard or Stewart (order uncertain): 1. Michael, b. —, m. Mary — about 1702. 2. Lydia, b. —, m. Joseph Covell, son of Nathaniel, about 1700, died before 1704. 3. Temperance, b. —, (single in 1711). 4. Katherine, b. —, m. Nathaniel Nickerson, son of William, Jr., May 13, 1702, (Yar. Rec.) 5. Joauna, b. — (single in 1711). 6. Joseph, b. —, m. Mary — about 1712. 7. Ebenezer, b. —, m. Ruth Higgins of East. Oct. 11, 1716, (East. Rec.) 8. Marcy, b. —, m. Edward Hall, son of Gershom, of Harwich, died in 1717. 9. Samuel, b. —, m. 1st Deborah Lothrop, probably dau. of Thomas of Barnstable, Nov. 21, 1721, (Chat. Rec.), m. 2nd Elizabeth Howes, dau. of Thomas of Chatham. 10. Probably John, b. —, m. Elizabeth—. (He is not mentioned in his father's will, but appears later as part owner, with Joseph and Samuel, of the Stewart farm). N B. There is a record, partly obliterated, of this family in the Yarmouth records, from which it appears that there was a son James, b. Feb. 11, 167[2], some child, name lost, b. Feb. 11, 1674, and another child, name lost, b. May 2, 1677. A James Stewart from this part of the Cape was with Sir Wm. Philips on the Canada Expedition in 1690, but I find no other mention of him. (See page 97 supra). The name of Ensign Stuard's wife is doubtless a short form for Waitstill, a name not uncommon for both sexes.

Caleb Lumbert or Lombard, son of Thomas and Joyce Lumbert of Barnstable, was born not long before 1636. He was admitted a freeman of the Colony in 1657³⁷ and an inhabitant of Barnstable in 1662.³⁸ On the death of his father he and his mother came into possession of the homestead at Barnstable. He was appointed March 7, 1664-5, with his brother Jedediah and the widow, to settle his father's estate.³⁹ Certain entries in the Colony records of that time indicate that he possessed rather a fiery temper, which got him into trouble with his neighbors.⁴⁰ He was a soldier in King Philip's war, 1675. From the Barnstable records it appears that at one time he bought a few acres of the Indians illegally, in behalf of his mother. The town authorities offered to allow her one-half, but she refused and a contest ensued. He is on the list of inhabitants of Barnstable in 1677 and was represented as owning land there in 1681.⁴¹ He was appointed with Joseph Kent as guardian of Joseph Cahoon in 1681.⁴² Soon after this he bought at Monomoit a farm of 40 acres, "being two shares of land" at that place, and removed thither. The exact location of this farm is unknown. It was stated on page 90 of this book that Mr. Lumbert settled probably in Red River neck, but evidence recently discovered shows that it was his son, Caleb, who settled there.⁴³ In December, 1686, he exchanged his Monomoit farm for a large tract at the "South Sea," so called, (now Harwichport) belonging to Old Humphry and Zachariah, his son, Indians.⁴⁴ This was probably an illegal purchase, but no action was taken against him. By deed dated April 8, 1687, he sold one-

37. Plym. Col. Rec. VIII, 179.

38. Barnstable Town Records.

39. Plym. Col. Rec. IV, 81.

40. Plym. Col. Rec. V, 16; III, 199.

41. Barnstable Town Records.

42. Plym. Col. Rec. VI, 169.

43. Files Superior Court of Judicature, No. 19259; Osborn Nickerson papers.

44. Files Superior Court of Judicature No. 8436.

half interest in this farm to Joseph Severance of Yarmouth⁴⁵ and the remaining one-half interest was acquired by Manoah Ellis of Sandwich. The Indians removed to Monomoit. It is not known when Mr. Lumbert died nor is there any list of his children.⁴⁶

William Grefeth or Griffith appears first as a resident of Sandwich where he assisted in settling the estate of Edward Dillingham in 1667. He then purchased of Gov. Thomas Prince one-half of the corn mill on the Sauquatuckett river (West Brewster), removed thither and became the miller. He lived on the west side of the river. He sold his place, together with his interest in the mill, to Thomas Clark in 1677.⁴⁷ In 1678 he owned land on the west side of Herring river (West Harwich.)⁴⁸ He was an appraiser of the estate of Richard Berry of Yarmouth in 1681 and of the estate of Nicholas Nickerson of Yarmouth in 1682. Before 1685 he bought a farm of forty acres at Monomoit, lying on each side of the highway leading to the "inlands" and not far from "the Indian bounds." That part on the north side of the highway, containing thirty acres, where he built his house, was purchased of William Nickerson, Sen.; that on the south side containing ten acres, of James Maker, a land owner, but not a resident, in Monomoit. Together with his son Philip, he bought a twenty acre lot on the Great Neck, called the 4th lot, and he also had two acres of meadow on the south side of the Oyster Pond.⁴⁹ In 1685 he was sued for cutting wood at the Oyster Pond furlong and paid damages therefor to John Nickerson, whose lot at

45. Files Superior Court of Judicature, No. 144,324.

46. Children of Caleb and ——— Lumbert or Lombard: 1. Caleb, b. ———, m. Elizabeth Small or Smalley, daughter of Edward, Sept. 1, 1704, (East. Rec.) 2. Deliverance, (probably) b. ———, m. Ensign William Nickerson (William 2, William 1) about 1700. 3. Probably other daughters unknown.

47. Mr. Josiah Palne in Deyo, History of Barnstable Co., 896.

48. Plym. Col. Deeds.

49. Deed from William Griffith to Thomas Howes dated April 8, 1703. M. L. Luce papers.

the furlong doubtless adjoined the south side of Griffith's farm, — the usual boundary line dispute.⁵⁰ This property he disposed of by deed dated April 8, 1703, to Thomas Howes of Yarmouth, son of Joseph.⁵¹ The house and farm appear to have been located in the Christopher Smith neighborhood. Mr. Griffith owned a share in the first Monomoit meeting house, which he also sold to Mr. Howes. It is not known where Mr. Griffith went after this sale. James Griffith, doubtless a son, remained at Monomoit and another son, Stephen, settled at Harwich.⁵²

Robert Eldred or Eldredge, as a youth or young man, entered into a contract of service with Nicholas Simpkins of Yarmouth for a period of three years from July, 1639. This was in accordance with the custom of that time. On May 25, 1639, before the term began, Simpkins assigned this contract, with the consent of Eldred, to Mr. Thomas Prence of Plymouth, the latter to pay him four pounds per annum and an ewe goat at the end of his term, as agreed by Simpkins, and ten shillings more claimed by Eldred, provided his claim should be established.⁵³ In August, 1643, Eldred was in the list of inhabitants of Plymouth able to bear arms.⁵⁴ On March 3, 1644-5, he was both plaintiff and defendant in suits with persons residing at Plymouth.⁵⁵ Not long after this he came to Yarmouth, where he married Elizabeth, eldest daughter of William Nickerson, the last week of October, 1649.⁵⁶ In March,

50. *Plym. Col. Rec.*, VII, 288, 289.

51. M. L. Luce papers.

52. Children of William and — Grefeth or Griffith (order uncertain): 1. Philip, b. —, m. —. 2. William, b. —, m. —. 3. James, b. —, m. Mercy (Nickerson) Mitchell, widow of William, prior to 1709 (see settlement of estate of said William). 4. Stephen, b. —, m. Apr. 13, 1699, Rebecca Elder, dau. of Joseph of Yarmouth (*Yar. Rec.*) and lived in Harwich (now Brewster). 5. Daughters not known.

53. *Plym. Col. Rec.* I, 122.

54. *Plym. Col. Rec.* VIII, 187.

55. *Plym. Col. Rec.* VII, 39.

56. *Plym. Col. Rec.* VIII, 10.

1652-3, he was engaged in a law suit with Edward Sturgis of Yarmouth.⁵⁷ He was constable there in 1657.⁵⁸ In May, 1659, he received pay for services in testifying and procuring testimony in the case of William Nickerson vs. Edward Sturgis.⁵⁹ He owned a farm at Little Bass pond near his father-in-law, consisting of 70 acres of upland and 20 acres of meadow, which he sold by deed dated February 25, 1666-7, to Samuel Hall of Yarmouth.⁶⁰ His wife Elizabeth, by deed dated January 15, 1661-2, received from her father a grant of 40 acres of upland and 10 acres of meadow at Monomoit.⁶¹ He appears to have moved from Yarmouth and settled on this farm at least as early as 1666, when he was sued in trespass "for unjust possession and improvement" of it,⁶² and probably a year or two before that date. The ten acres of meadow were located at West Chatham on the north side of the creek which is just below the house of Richard Young. Twenty acres of the upland appear to have been laid out on the west side of the Great Hill, and the remaining twenty acres (where the house was built) were along the Oyster Pond river at the Oyster Pond furlong so called and east of John Downing's land.⁶³

His difficulties on account of the Monomoit lands have been set forth in a preceding chapter. He died shortly before January 18, 1682-3, when the inventory of his estate, amounting to 316 pounds, was taken.⁶⁴ His widow Elizabeth and son Nicholas were appointed administrators March 9, 1682-3.⁶⁵ Inasmuch as this is the first inventory

57. Plym. Col. Rec. VII, 63.

58. Plym. Col. Rec. VIII, 185.

59. Plym. Col. Rec. VII, 92.

60. Plym. Col. Deeds III, 332.

61. Note 28, page 62 supra.

62. Page 71 supra; Plym. Col. Rec. VII, 132.

63. Deeds to Thomas Crow, Tristram Hedges and John Downing, found elsewhere in this chapter; Barnstable Probate Records II, 216; Plym. Col. Rec. VII, 288, 289.

64. Plym. Col. Wills, IV (pt 2) 25.

65. Plym. Col. Rec. VI, 104.

on record of any Monomoit settler, a brief statement of what it contained will give the reader a good idea how the average citizen of that early day lived. His live stock consisted of 2 horses, 20 cows, 2 steers, one pair of oxen, 6 two-year-old heifers, 2 three-year olds, 3 yearling calves, 29 sheep, 12 hogs and 17 shoats. He had 4 hives of bees, 3 barrels of tar, an old saddle, 7 old casks, a new plow and irons, pails, chisels, sickle, pitchforks and other farming tools. Inside the house the dishes were earthen and pewter. There were basins, porringers, cullenders, beer pots, dram cups, pitchers, pudding pans, galley pots, drinking cups, alcomy spoons, brass kettles, skillets, iron kettles, iron pots, iron posnett, etc. Among household articles were also a pair of andirons, a pair of pothooks, a hatchell, an hour glass, a spit, smoothing irons and heaters, a gridiron and toaster, a fire pan, pair of brass scales, sieves, kneading troughs, bellows, churn, wooden trays, trenchers, milk keelers, woolen wheel, linen wheel, etc. A back sword and a fowling piece comprised the weapons of defense. His land, which was in the name of his wife, was valued at 80 lbs. and the house and buildings on it, at 50 lbs. The latter were accounted the property of the husband and, with the personal property, were ordered in 1683 to be divided, one-third to the widow and the other two-thirds to the children, the eldest son receiving a double share. It is doubtful whether this order was carried out, as by an agreement dated July 16, 1695, it appears that "for want of prudence" the estate suffered loss, "so that there is not enough for to make up each child's proportion, especially Hannah and Martha, and the abovesd Hannah and Martha Living att a Distance have had Little or nothing." Accordingly the widow, by the above mentioned agreement delivered to Hannah and Martha 20 acres of land westward of the Great Hill, 3 acres of land at Nick's Cove so called,

and the house she lived in, which her husband built, with the furnishings, she receiving a life interest and the sisters on certain conditions to share with the daughter Bridget.⁶⁶ The widow probably died just before May 3, 1706, when this agreement was received and recorded as a will in the Probate Court.⁶⁷

Robert Nickerson, second son of William and Anne (Busby) Nickerson, was born in England about 1635. He took the oath of fidelity at Yarmouth in 1657⁶⁸ and removed to Monomoit when his father did or soon after. In February, 1673-4, he received a deed of 40 acres of upland and 10 acres of meadow from his father. The location of his house is uncertain. He had upland on the east side of the Great Hill bounded south on John Savage and east on the highway; also a share of land on the Great Neck (Stage Neck), containing 20 acres, adjoining John Nickerson's lot. His ten acres of meadow was on Ragged Neck, on the south side of the creek running west into Cockle Cove (Buck's Creek) and adjoining and south of Robert Eldred's meadow.⁶⁹ He was grandjurymen in 1679 and constable in 1683.⁷⁰ There is no record of his marriage or of his children and no settlement of his estate. He died before July,

66. Plym. Col. Wills IV (pt 2) 25; Barnstable Probate Records II, 216.

67. Children of Robert and Elizabeth (Nickerson) Eldred (order uncertain after first child): 1. Nicholas, b. at Yarmouth Aug. 18, 1650 (Plym. Col. Rec.), m. Elizabeth ——. 2. Robert, b. ——, probably removed to Duck Creek, Del., about 1711, as administration was granted Oct. 5, 1732, in Kent Co. Del. to Thomas Eldredge on estate of Robert Eldredge and cousins of his are known to have gone there in 1711 from Monomolt. 3. Hannah, b. —— (single in 1695). 4. Martha, b. —— (single in 1695). 5. William, b. ——, m. 1st ——, 2nd Sarah (Newcomb) Conant, widow of Joshua of Truro, Jan. 30, 1706-7 (East. Rec.) 6. Joseph, b. ——, m. Elizabeth, perhaps dau. of Teague Jones. 7. Bridget, b. ——, m. William Long of Har. May 17, 1714, (N. E. Hist. Gen. Reg. XXIII, 178). 8. Samuel, b. ——, m. Elizabeth Hedges, dau. of Trilstram, before 1694, (M. L. Luce papers). He and his wife sold property at Monomoit in May and June, 1711, to Seth Taylor of Yarmouth and probably went to Duck Creek with his brother Robert, (M. L. Luce papers). Mary Eldredge who married John Smith of Eastham Nov. 30, 1668, may have been the eldest daughter of Robert.

68. Plym. Col. Rec. VIII, 186.

69. See page 113, *supra*, account of John Savage; account of John Nickerson *infra*; account of Trilstram Hedges *infra*.

70. Plym. Col. Rec. VI, 11; 107.

1713, when his son, Robert, then of Harwich, sold and conveyed to Seth Taylor of Yarmouth 20 acres of his late father's property in Chatham.⁷¹ This son was living in Harwich as late as October, 1724, when he appealed from a judgment against him in favor of John Mayo of Harwich,⁷² but he is not found in a list made in 1726 of the families in that town having children of school age.⁷³

Tristram Hedges was married in Boston December 20, 1657, to Ann, daughter of William and Anne (Busby) Nickerson, by Gov. Endicott. He removed to Yarmouth and thence to Monomoit. His land troubles there have been related already. His farm at the latter place, which he received from his father-in-law by deed dated February 24, 1673-4, comprised the whole of Ragged Neck at West Chatham except 10 acres of meadow on the north side of the neck belonging to Robert Nickerson. This neck is described in the deed to him as bounded "northerly upon a Creek that is ye bounds between John Downing meadow & his ye sd Trustrum Hedges; and from ye head of ye Creek it Rang westerly viz it is bounded with stakes & marked trees to a pine tree that is marked on ye four sides that was to shew ye bounds between Robert Nickerson's meadow & Robert Eldred meadow and from Robert Nickerson's meadow ye bounds of ye neck is ye Main Creek which is ye westermost bounds & ye Southermost bound is ye Beach & ye easter bound is ye River that come into ye oyster pond."⁷⁴ This tract, called Ragged Neck, comprised all that neck of land between Buck's Creek, Oyster Pond river and Harding's beach. The north line ran through

71. See deed of Seth Taylor to Thomas Doane dated March 20, 1718-9. M. L. Luce papers.

72. Files Superior Court of Judicature No. 18,390.

73. Freeman, History of Cape Cod II, 505.

Children of Robert and — Nickerson: 1. Robert, b. —, m. —. Nothing more is known about this family. The Robert Nickerson mentioned in Freeman, History of Cape Cod, II, 501, was Robert of Chatham, son of William and grandson of William Sen. See Files Superior Court of Judicature No. 10,806, 10,273, &c.

74. M. L. Luce papers.

the middle of the valley lying north of Barn Hill, so called. Mr. Hedges also had woodland on the Great Hill extending over to Emery's pond. By deed dated September 14, 1694, he conveyed to his son-in-law Samuel Eldredge and his daughter Elizabeth, wife of Samuel, a parcel of upland and meadow on the westerly side of this neck adjoining Buck's Creek.⁷⁵ At the March term 1710 his recognizance to appear and give evidence in the case of William and Ruhamah Nickerson was forfeited and at the March term 1711, judgment of 30 lbs. for the forfeiture was awarded against him.⁷⁶ It is not known when he or his wife died. There is no settlement of his estate. The family must not be confounded with the Hedge family of Yarmouth.⁷⁷

Samuel Nickerson, son of William and Anne (Busby) Nickerson, born in New England, married Mary, daughter of John Bell of Yarmouth, about 1660.⁷⁸ Bell lived in the southeast part of Old Yarmouth on the West side of Herring river (now West Harwich). Removing to Monomoit, Nickerson built and settled on the south side of Crow's pond between it and Ryder's Cove (Alewife river) and near Nathaniel Covell. He received from his father a deed of the farm he occupied dated Feb. 12, 1673-4.⁷⁹ He also had

75. M. L. Luce papers.

76. Records Superior Court of Judicature III, 247, 257.

77. Children of Tristram and Ann (Nickerson) Hedges: 1. Grace, b. Aug. 20, 1659, in Boston; d. there Jan. 4, 1660. (Boston Rec.) 2. Elizabeth, b. —, m. Samuel Eldredge, son of Robert, and probably moved to Duck Creek, Del., in 1711. 3. Others unknown.

78. Barnstable Probate Records, estate of John Bell.

79. William Nickerson conveys to Sam'l Nickerson by deed bearing date 12th day of February, 1673 [4].

"Forty Acres of Upland and ten acres of meadow bounded as followeth, his House Lot lying and being by the Alewife River, butting Southerly upon the highway that is laid out between the Alewife River and his House Lot and Westerly it buts upon Nathl Covell's House Lot, where there is a Tree marked on the four sides, that is the Bound between them, and northerly near to a Swamp where there are marked Trees, as he has fenced it, and other lands that lye in the neck of land that we call the Alewife River Neck, butting Westerly upon the highway that lye between the Swamp & his Land where there are Trees marked for his bounds and Southerly upon the highway to Nath' Covell's ditch, that way is between their meadows to come into the Neck to fetch

six acres of upland at the Oyster Pond furlong and upland and meadow on the south side of the Oyster Pond.⁸⁰ He was of Harwich as early as 1696, having sold his Monomoit property, and purchased a farm near Coy's Brook of William Cahoon in that year. The statement in the petition of William Merrick (State Archives Vol. 113, 351) that Nickerson signed a petition in 1694 for the incorporation of Harwich, is not correct, as an inspection of the original petition (State Archives Vol. 113, 59) will show. He was then of Monomoit. He bought more land near Coy's Brook in August, 1717. Administration on his estate was granted to his widow Mary on Sept. 3, 1719.⁸¹

John Nickerson, son of William and Anne (Busby) Nickerson, married Sarah, daughter of Thomas and Elizabeth (Tart) Williams of Eastham.⁸² He settled and built his house on an irregular lot of land, lying between the White pond and Black pond on the south, and Emery's pond on the north. He had six acres at the Oyster Pond furlong, twenty acres on Stage Neck, and ten acres of meadow at Seaquanset or Buck's Creek, all by deed from

out their Hay or Wood, and not to trespass one the other, and Easterly his land but upon Nath'l Covell's ditch and range Northerly upon a straight line to the Harbour and there are Trees marked upon the line between Nath'l Covell & Sam'l Nickerson, and his land range from thence Westerly by the Harbour to a way that I have set out for a landing place for to come to the Harbour for to fetch any Goods that is landed there, without Trespassing upon him." A true copy as appears by the 2d Book of Records for the County of Barnstable, Folio 228, Attest Ebenr Bacon Regr. (M. L. Luce papers.)

80. See deed William Nickerson to Robert Nickerson dated Oct. 13, 1707. (Files Superior Court of Judicature No. 7723); also notes 83 and 90 infra.

81. Children of Samuel and Mary (Bell) Nickerson: 1. Samuel, b. —, m. Hannah Hall, dau. of Benjamin of Harwich, about 1707. 2. Daughter (mentioned in the inventory of the estate of John Bell, but name not given.) 3. Nicholas, b. —, m. Lydia — about 1720. 4. Others unknown. As this family continued to live in Harwich and therefore will not again appear in this work, the following grandchildren according to Harwich records, are here given for convenience of reference. Children of Samuel and Hannah: 1. Mehitable, b. Jan. 30, 1708-9. 2. Shaber, b. Aug. 26, 1710. 3. Samuel, b. Feb. 22, 1711-2. 4. Benjamin, b. Sept. 1714. 5. Barnabas, b. Nov. 7, 1716. 6. Joshua, b. June 16, 1719. Children of Nicholas and Lydia: 1. Seth, b. Jan. 21, 1722. 2. Mary, b. Oct. 20, 1724. 3. Prince, b. July 8, 1728. 4. Elizabeth, b. Jan. 30, 1731. 5. Lydia, b. Mar. 1, 1734. Eunice, b. Sept. 17, 1736.

82. Barnstable Probate Records, estate of Thomas Williams.

his father dated February 11, 1673-4.⁸³ His lot at the Oyster Pond furlong was entered upon in the winter of 1684-5 by William Griffith, who lived near, and some wood cut from it, for which Nickerson recovered damages.⁸⁴ On March 1, 1714, John Nickerson, Sen, as appurtenant to his farm, received in the division of the common land the 21st lot, located south of the pond which is near the highway at East Harwich.⁸⁵ It would seem that he must have died or conveyed his property to his sons, William and John, before May 11, 1714.⁸⁶ There is no

83. "Fourtie acres of upland & ten acres of meadow lands out of ye lands that I purchased of ye Sagamores, Mattaquason & John Quason at Monamoy & places adjacent butted and bounded as followeth: his house lott lye between two ponds part by a swamp on ye South side of Thurston Hedges & range Westerly to ye head of ye swamp & from thence upon a straight line Southerly to ye pond that is caled ye white pond & Easterly from his house to a swamp & over ye swamp his land butteth Northerly upon Thurston Hedges land and there is a tree marked between them & rang Easterly to a marked tree that is marked between Thurston Hedges and him & from thence it rang Southerly to a tree marked on ye four sides between Teag Jones & him, & so it rang Westerly to a marked tree that stand by a pond side. And one parcell of land that is laid out to him upon ye oyster pond furlong, Westerly it butts upon Samuell Nickerson land & Southerly to ye Oyster Pond & Northerly it butts upon ye way that is laid out at ye head of ye lotts & ther stand a tree marked on ye four sides where is his outward most bound, Easterly upon a straight line to ye oyster pond & one share of land upon ye great neck on ye south east side of ye oyster pond, It is ye fourth share between Nathaniel Covell and Robert Nickerson & ten ackers of meadow neer to Seaquanset Northerly butting upon Thurston Hedges & an hland of upland & Southerly bounded by ye water & Westerly by a stake that stand at ye point of upland which is a bound between my meadow & his, with liberty to feed upon other land according to proportlon." Plym. Col. Deeds V, 328.

84. Plym. Col. Rec. VII, 289.

85. "A Proprietors' Book for Chatham," Town Clerk's office.

86. ——— men by these presants yt whajer as thomas Atkins of Chatham & William Nickerson & John Nickerson ——— of sd towr: Having had a Diferance whear ye line shuld Run Betwene ye sd Nickersons land & ye 8 lot which sd lot is ye sd Atknes lot as also how ye line shuld Run Between ye sd Nickersons land & ye land yt sd Atknes laity Bought yt was ye Vickerfes land and Deaken Joseph Hall Being presant with his Compas at ye House of Ebenr Haweses this 11th day of May 1714 he ye sd Atknes & ye sd Nickersons did mutully agre yt for themselves & theair Heirs that ye Boundarles Heair after menched shall Be ye Dividing lines Betwixt ye Before menched lands forever, which sd Boundres are as foloweth: ye first Boundery is a stone standing In ye Ground at ye hed of ye Swamp & thence upon a straight line to another stone standing In ye Dich & from this stone Deken Hall set his Compas & Run a Dewe south line to another stone yt standeth one ye Bank By ye whit pond, thes are ye true Bounderes which wee have agreed uppone to be ye Bounderles for Ever as wittnes our hands this 11 day of May anno qu dominy 1714

Joseph Hall
John Bacon

Thomas Atkins
William Nickerson
John Nickerson

("A Proprietors' Book for Chatham," Town Clerk's office.)

settlement of his estate and no record of his children.⁸⁷

Nathaniel Covell, saddler, was the son of Nathaniel Covell of Chelmsford, Essex Co., England. His father dying while he was yet a youth, he agreed in April, 1653, with Mr. Edward Winslow of Marshfield, who was then in England, to serve him, according to the custom of the time, from that date until seven years after his arrival in New England, receiving therefor his passage over, his support and ten pounds in goods and commodities, 13 bushels of Indian corn and "good double apparel" at the end of his time. He arrived at Boston August 26, 1653, and was soon after assigned by Mr. Winslow to his step-son, Peregrine White of Marshfield.⁸⁸ Young Covell accordingly served his time in the employ of the first white man born in New England. He came to Yarmouth soon after the expiration of his service, where he married Sarah, youngest daughter of William and Anne (Busby) Nickerson, some time between January 15, 1662, and July 4, 1663.⁸⁹ He removed to Monomoit a year or two after this marriage. His connection with the land troubles there has already been stated. By deed dated February 11, 1673-4, his wife received from her father 40 acres of upland and 10 acres of meadow at Monomoit. On this the family lived. The house and upland were located on the south side of Crow's pond, between it and Ryder's Cove, then called Alewife or Herring River. There were six acres of woodland at the Oyster Pond furlong and the meadow land was at Muddy Cove.⁹⁰ By deed dated April 14, 1677, Covell bought of

87. Children of John and Sarah (Williams) Nickerson (order uncertain): 1. Sarah, b. —, m. Edward Small or Smalley, son of Edward of Monomolt, Apr. 3, 1704. (East. Rec.) 2. William, b. —, m. Hannah —. 3. John, b. —, m. Mary — July 11, 1706. (East. Rec.) 4. Others unknown. The preponderance of evidence is in favor of Sarah as daughter of John rather than of Joseph Nickerson. See Barnstable Probate Records, estate of Edward Small.

88. Plym. Col. Deeds, II, (pt. I) 149.

89. See the petition on page 63 and note 28 page 62 supra.

90. "Forty acres of upland and ten acres of meadow lands out of the Lands that I purchased of the Sagamores Mattaquason and John Quason at Mannamolett and places adjacent, bounded as followeth: on prte of the land Lying upon the Necke of

his father-in-law a lot of woodland on the east side of the Great Hill lying on both sides of the highway and bounded west on Tristram Hedges' land, north on John Savage and William Nickerson, Jr., east on the marsh at Frostfish Creek and south on Edward Cottle.⁹¹ In 1674 he was appointed deputy constable of the village, serving under the constable of Eastham. He died in middle life, probably before the winter of 1685-6, when Mrs. Covell received a deed from her father of all his property.⁹² There was no settlement of his estate. In 1687 Mrs. Covell, then called a widow, conveyed to her brother, William Nickerson, Jr., one-half of all the real estate she had received from her father, except the home farm of the latter.⁹³ She and her brother, therefore, became co-owners of all the undivided and unpurchased lands at Monomoit. By deed dated October 6, 1693, they conveyed one-third interest in these lands to Samuel Sprague of Marshfield, former secretary of Plymouth Colony.⁹⁴ She retained one-third interest in these lands and her ownership of her father's home farm till 1699, when she apparently divided her property among

land called the Alewife River Necke. Westerly with a ditch between Samuell Nickerson's land and Ranging Northerly upon a straight line with trees marked to the harbour and Southerly abutting upon the highway and Easterly by all the Land upon the Necke bounded by the water: and one parsell of meddow next to the Creeke on the South syde of the highway to one point of upland that Joynes almost to the creeke and Joynes next to a parsell of meddow that is Samuell Nickerson's and Easterly on Samuell Nickerson's Meddow, all the sedge and meddow is Nathaniel Covell's that is upon the Necke within the bounds above expressed; and thes bounds I have Granted to him upon exchange of his share of Lands upon the Great Necke that is by the Oyster pond: and six acres of upland that lyeth upon the oyster pond furlong on the Northerly syde of the pond, abutting south upon the pond, west upon Teage Jones his land and north upon the way that is sett out att the head of the lotts and East upon Samuell Nickerson's land there; and one parsell of Meddow that lyeth on the north syde of the Cove from the head of the Muddy Cove to the point of land by a ware where the Indians catch Eeles; and one parsell of Land for a house lott where his house stands, South upon the highway, East to a tree marked on the four sydes between Samuell Nickerson and him, North straight to an old Indian Path and West from that path alonge by a ponde syde to the Cartway." *Plym. Col. Deeds IV, 264.*

91. *Plym. Col. Deeds IV, 172.*

92. See note 42, page 93 *supra*.

93. See note 43, page 93 *supra*.

94. *Plym. Col. Deeds V, 500.*

her four sons, Nathaniel, William, Joseph and Ephraim.⁹⁵ It is quite probable that she was living as late as 1715.⁹⁶ No one of her sons could write his own name, but her grandchildren were some of them quite above the average in intelligence.⁹⁷

William Nickerson, son of William and Anne (Busby) Nickerson, was baptized at Barnstable June 1, 1646, and married Mercy, daughter of Thomas and Elizabeth (Tart) Williams, sister of the wife of his brother John.⁹⁸ It is uncertain where he first settled at Monomoit. Before 1677 he was the owner of a piece of upland lying east of the Great Hill, between the highway and Frostfish Creek, bounded south on land of Nathaniel Covell and of another piece lying southwest from the head of Ryder's Cove on the south side of land of John Savage.⁹⁹ His house may have been on the latter tract. He was a soldier in King Philip's war, under Capt. Henry Gold, entering the service in the latter part of the contest, (E. W. Pierce, *Historical Sketches, &c*) and not Robert Nickerson, as stated in Bodge, *King Philip's War* 420, 424. He was grand-juryman in 1681 and constable in 1683. By deed of December 2, 1687, he received title from his father and sister Sarah Covell to one-half of all the undivided and unpurchased lands at Monomoit and full

95. See deed from Sarah Covell to Ephraim Covell dated May 19, 1699, recorded May 27, 1699, conveying to him a part of her father's farm and one-fourth of her interest in the undivided lands and a deed from Ephraim Covell et al to Michael Stewart dated Oct. 12, 1702. M. L. Luce papers.

96. See note 44, page 94 supra.

97. Children of Nathaniel and Sarah (Nickerson) Covell, (order uncertain): 1. Nathaniel (eldest son) b. —, m. Judith Nickerson of Monomoit, daughter of William Mar. 1 or 5, 1696-7 (East. Rec.) 2. William, b. in 1673, m. Sarah —, died in that part of Eastham now Wellfleet June 18, 1760, aged 87 (East. Rec.) 3. Joseph, b. —, m. 1st Lydia, dau. of Hugh Stuard about 1700, m. 2nd Hannah Bassett of Eastham, dau. of Nathaniel of Yarmouth Mar. 1, 1703-4. 4. Ephraim, b. in 1677 or 1678; m. 1st Mercy —, who died Feb. 1, 1727-8 (Har. Rec.), 2nd, Mrs. Abigail Ellis of Yarmouth, Feb. 4, 1729-30. (Har. Rec.), 3rd, Mrs. Mary Taylor of Chatham (int. Sept. 20, 1746, Har. Rec.), who survived him. 5. A daughter who married Benjamin Phillips about 1696 and probably died young (Note 23, page 84 supra) 6. Other daughters unknown.

98. Barnstable Probate Records, estate of Thomas William s.

99. Plym. Col. Deeds, IV, 172, 309.

title to Monamesset Neck. By deed dated August 29, 1689, he bought a tract at Cotehpiniout (Old Harbor) where he built a house and resided for some time.¹⁰⁰ He took the oath of a freeman June 24, 1690, and soon after was appointed inspector of whales.¹⁰¹ On December 5, 1692, John Freeman and Jonathan Sparrow of Eastham laid out to him and Sarah Covell the bounds of the unpurchased lands to which they were entitled.¹⁰² By deed dated October 6, 1693, he and his sister conveyed to Samuel Sprague one-third interest in their undivided and unpurchased lands.¹⁰³ By deed dated June 27, 1694, he bought, in company with Samuel Smith, of John Quason, Jr., another tract at or near Cotehpiniout.¹⁰⁴ On October 12, 1702, he joined with Sprague and others in conveying to Michael Stuard a large tract of undivided land at West Chatham.¹⁰⁵ On the following day he conveyed Monamesset Neck and some other property to his son William Jr.¹⁰⁶ On July 11, 1706, he joined with his wife in conveying to his son Thomas the land at Cotehpiniout which she had obtained by assignment and foreclosure of a mortgage given to Samuel Smith by the Indians.¹⁰⁷ On February 23, 1709-10, he conveyed to his four sons certain tracts of undivided land.¹⁰⁸ He was the first clerk and treasurer of the village, serving as clerk 15 years and treasurer six years. He was selectman six years. He appears to have disposed of his farm at Old Harbor before 1699 and was then living on a farm lying west or northwest of Lord's pond in the Stephen Smith neighborhood.¹⁰⁹ By

100. See note 50, page 98 supra.

101. See page 97 supra.

102. See page 134 infra.

103. See page 139 infra.

104. See note 52, page 98 supra.

105. M. L. Luce papers.

106. Osborn Nickerson papers.

107. Files Superior Court of Judicature No. 7043; note 52 page 98.

108. Files Superior Court of Judicature No. 7723.

109. Files Superior Court of Judicature No. 3919.

deed dated October 13, 1707, he conveyed this farm and other land to his son Robert, retaining the use and improvement of it during his life and that of his wife.¹¹⁰ Later a new deal was made and by deed dated February 5, 1713-4 he conveyed one-half of the property to Robert outright, retaining the use of the other one-half for life.¹¹¹ On August 15, 1716, there was a division of the farm between father and son.¹¹² In the division of the common land in 1713 he was allotted nine lots, numbered 3, 5, 6, 28, 35, 36, 37, 39 and 42.¹¹³ He and his wife were, doubtless, both members of Eastham church, from which she was dismissed to Harwich church, Sept. 7, 1712. Although he was clerk of the village many years, he never recorded his own family and but few outside of it. Letters testamentary were granted on his estate to his widow Mercy April 7, 1719. She survived her husband twenty years, dying April 7, 1739, at a great age, and leaving many descendants.¹¹⁴

Joseph Nickerson, youngest son of William and Anne (Busby) Nickerson, was born at Yarmouth in December, 1647, and married Ruhamah, whose parentage is not known. She is first mentioned as his wife in the Colony records under date of March 5, 1677-8. His farm of forty acres of upland, which he received from his father by deed dated February 10, 1673-4, was located on Pleasant bay just west of Crow's pond. It bounded east on Monamesset Neck. His ten acres of meadow was at Seaquanset (Buck's

110. Files Superior Court of Judicature No. 7723.

111. Files Superior Court of Judicature No. 9607.

112. Files Superior Court of Judicature No. 10972.

113. "A Proprietors' Book for Chatham." (Town Clerk's office). See the map at the end of this chapter for the location of these lots.

114. "7 (2) 1739 died here Mrs. Mercy Nicholson (commonly written here Nickerson) aged ninety years or more (as is judged) and some say ninety-five (for she could not tell her own age). She was born in Eastham and has left a numerous posterity, 146 being now living in this land. Beside which there was a daughter of hers that above twenty years ago went to a place called Duck Creek in Pennsylvania or West Jersey of whose posterity her relations here can not inform who are living; but she carried seven children with her when she went. I was afterwards informed by her son that he had found 157 of her posterity living here in this country. And Duck Creek I am informed.

Creek.)¹¹⁵ He was constable in 1684 and fence viewer in 1693. Soon after the latter date he sold out to William Covell, son of Nathaniel. He then, in or about 1697, purchased a farm of fifty acres on the West side of Muddy Cove adjoining the Monomoit line, but within the limits of Harwich. This farm was deeded to him by Mr. Barnabas Lothrop of Barnstable, who bought it of the Indian proprietor, Popamosset Cowet, or his successors.¹¹⁶ Mr. Nickerson, although occupying the farm, still considered himself as of Monomoit. Attempts were made to secure its annexation to Monomoit. By deed dated November 5, 1709, he conveyed what appears to be the northerly part of this farm to his son William.¹¹⁷ Ebenezer Hawes appears as owner of the southerly portion as early as 1712.¹¹⁸ is in Pennsylvania on ye borders of Maryland." Diary of Rev. Joseph Lord, Yarmouth Register Dec. 17, 1846.

Children of Willam and Mercy (Williams) Nickerson (order uncertain): 1. Thomas, b. —, m. Mary dau. of Jonathan Bangs of Harwich. 2. William, b. —, m. 1st, Deliverance, probably dan. of Caleb Lambert, Sen., about 1700; 2nd Hannah alias Anna Atwood, dan. of Eldad of Eastham, Oct. 24, 1717 (Yar. Rec.) 3. Nathaniel, b. 1680 or 1681 (see note 50, page 98 supra), m. Katherine Stuard, dau. of Hugh, May 13, 1702, (Yar. Rec.) 4. Robert, b. —, m. Rebecca Jones, dau. of Jeremiah of Yarmouth, Mar. 28, 1706-7, (Yar. Rec.) This son received his father's Narragansett Indian lands; see York Co. (Me.) Deeds XVII, 222. 5. Mercy, b. —, m. 1st William Mitchell about 1689, 2nd James Griffith before 1709. 6. Elizabeth, b. —, m. William Cahoon (see Records Sup. Ct. of Judicature VII 31, and estate Wm. Cahoon, Barn. Prob. Rec.) 7. —, who went to Duck Creek in 1711 with her husband and seven children. 8. Judith, b. —, m. Nathaniel Covell, son of Nathaniel, Mar. 1 or 5, 1696-7, (East. Rec.) 9. Other daughters unknown. There is said to be a deed from Judith Covell in 1719, in which Ensign William Nickerson is called her brother; otherwise I should regard Judith as probably daughter of John Nickerson.

115. "Forty acres of Upland and Ten acres of Meadow Lands out of the Lands that I purchased of the Sagamos Mataquason and John Quason at Monamoy and Places adjacent Bounded as followeth: The Bounds Easterly as we go to Monemese Is the Crick and Salt Pond where there Stands a Pine Tree Marked on the four Sides near to the Harbour and upon a Straight Line Northerly to the high Clift and Trees Marked upon the Range and Range upon the Clift Westerly to an old fence where there is a Tree marked on the four Sides, and from thence as the old fence Range Southerly to a Swamp where there is a Tree marked on the four Sides and from thence Easterly to a Clift near to the Harbour where there are Trees marked upon the Range" [said Joseph to have no share on the Great Neck, his 40 acres being all in one piece] "And also a parcel of meadow that is near to Seaquanset Bounded with the Upland Round about and butteth Southerly upon Trustrum Hedges Meadow near to the Bridge where they bring out their Hay." "Also all the Meadow upon Monamesset Neck." From a certified copy made Dec. 10, 1757, by Solomon Otis Regr (Osborn Nickerson papers).

116. Mr. Josiah Palne In Deyo, Hist. of Barnstable Co. 837; note 58, page 76, and note 54, page 100.

117. 8 Mayflower Descendant, 156.

118. "A Proprietors' Book for Chatham." Town Clerk's office.

His wife and son William were charged, in the winter of 1709-10, with aiding and abetting an Indian in burning the barn of Mr. Edward Bangs at Satucket. The Indian was not convicted and the whole charge failed, but as his wife through illness had failed to appear at Court and her bond was forfeited, Mr. Nickerson had trouble in getting relief from its payment, finally petitioning the General Court therefor.¹¹⁹ He died after 1726, when his son is mentioned as Joseph, Jr., and before 1731, at which date his widow is mentioned.¹²⁰ She lived to be very old and in her last days lived at Chatham at the house of John Eldredge, where she fell sick. On October 21, 1735, the Court at Barnstable ordered the town of Harwich to repay to Chatham the sum it had spent for her in her, presumably last, sickness there.¹²¹

Nathaniel Tomlon or Tumbler was of Yarmouth as early as 1686, when he witnessed the will of Thomas Folland. He settled at Monomoit between this date and 1695. He was grandjuryman in 1698, was hired by the village in 1702 to build a "sufficient pound," was tithingman in 1706 and constable in 1709. It is supposed that the family removed from the village about 1710 or 1711, with the first emigration. The location of his farm at Monomoit is not known, but it is supposed to have been east of Taylor's pond, South Chatham. The inlet into this pond was known for years

119. Records Superior Court of Judicature III, 247, 248, 257; State Archives XL, 954.

120. Freeman, Hist. of Cape Cod II, 506; Deyo, Hist. of Barnstable Co., 837.

121. M. L. Luce papers.

Children of Joseph and Ruhamah Nickerson (order uncertain): 1. Jeremiah, b. —, m. —. He removed to Duck Creek, Del., in 1711, where he died in 1724. His will dated Oct. 9, 1724, proved Oct. 31, 1724, mentions the following children: Joshua, Joseph, Lydia, Ruhamah, Priscilla, Mary, and grandsons Nehemiah and Jeremiah. 2. William, b. —, m. Lydia Maker, dau. of James, Nov. 4, 1703, (Har. Rec.) His will dated Sept. 15, 1760, proved Mar. 17, 1765, mentions the following children: John, Isaac, Joseph, Silas, William, Rachel, Lydia, Mary, Priscilla. 3. Joseph, b. —, m. —, and lived in Harwich. 4. Josiah, b. —, m. Rachel Maker, dau. of James, Jan. 20, 1714-5. (Har. Rec.) He died before June 16, 1737, (when his widow's intention to marry John King was recorded), leaving probably the following children: Shubael, Josiah, Bethiah, m. Samuel Merchant of Yarmouth Feb. 26, 1736. (Yar. Rec.) Deborah, m. Hezekiah Baxter of Yarmouth (Int. Mar. 19, 1743). 5. Perhaps John, b. —, m. Sarah —. 6. Daughters not known.

as Tumbler's Cove. Matthew Tomlon, supposed to be a son of Nathaniel, owned ten acres of upland on the west side of Taylor's pond, purchased of the proprietors of Monomoit. This he had sold before 1712.¹²²

These early settlers led lives of hard work and few pleasures. They lived in small houses of one story, usually located in a valley near the shore or near some inlet, bay or cove. There was no glass for the windows. Oiled paper was used instead. There were no carriages. Oxen were used for farm work and for riding men and women used the saddle exclusively. They had few chairs, no forks or saucers and ate out of wooden plates, called trenchers. They suffered much from cold in winter, having only fire places, and tallow candles afforded their ordinary light. The duties of the women were manifold, including spinning, weaving, making soap, candles, butter, cheese, &c. They were not only their own dressmakers but tailors for the men as well. Their work was, indeed, never done. There was no lack, however, of good food. The new country afforded an abundance of fish and game, which to-day are delicacies on many tables.

122. "A Proprietors' Book for Chatham," Town Clerk's office.

Children of Nathaniel and ——— Tomlon (order and relationship both conjectural): 1. Matthew, b. ———. 2. Robert, b. ———. 3. ———, m. Ebenezer Severance of Harwich Feb. 14, 1709-10 (East. Rec.) It appears from Eastham records that Richard Walker m. Joanna Tomlon "of Needham" (Int. Feb. 13, 1719-20) and that his brother Jeremiah Walker m. Esther Tomlon Sept. 12, 1724. The only Tomlons to be found on the records of Dedham and Needham (Needham was incorporated from Dedham in 1711) are the following: Matthew Tomlon m. Sarah Bullard May 7, 1701; eh. Elisha, b. Mar. 10, 1701-2; Lydia, b. Mar. 12, 1703-4; Rebecca, b. Sept. 3, 1705; Abigail, b. July 13, 1707; Seth, b. May 10, 1709; Elizabeth, b. in summer 1711. May 2, 1714, "voted that Mathew Tambling and John Fisher should teach children to read and wright" Apr. 22, 1700. Abigail Tomblin m. William Wait. I cannot establish the connection between these Needham and Monomoit families, but I very much doubt if Richard Walker would have gone to Needham for a wife, if he had not already made her acquaintance at home on Cape Cod. There was an Elisha Tomlins residing in Eastham about 1730, probably the Elisha born at Dedham Mar. 10, 1701-2. Files Superior Court of Judicature No. 26,390.

CHAPTER VIII.

MONOMOIT UNDER MASSACHUSETTS BAY COLONY.

AN attempt was made in the latter part of Chapter VI¹ to give a list of settlers probably resident at Monomoit at the time it became a part of the Bay Colony. It did not purport to be an accurate list and, in fact, new evidence has come to light since it was compiled, which shows that the number of settlers was even less than there stated. John Taylor, it seems, was a resident of Yarmouth as late as 1698,² if not later, and Edward Small did not leave Dover, N. H., till after 1694.³ It is doubtful, too, whether William Cahoon or Nathaniel Tomlon were here before 1692. Indeed, it is not likely that there were at Monomoit proper, nearly thirty years after its settlement, more than half a dozen families outside of the original Nickerson family settlement! On the other hand, in that part of Monomoit, now a part of Harwich, there were, besides the Halls, the families of Joseph Severance (who bought of Caleb Lambert in 1687)⁴ and Manoah Ellis who became co-owner with Severance.

The first General Court after the consolidation of the colonies met at Boston in June 1692. Each town and "place" was entitled to send two deputies or representatives to this Court, and Monomoit was, accordingly, represented by two of its citizens, Lieut. Nicholas Eldredge and

1. Page 104 supra.

2. Files Superior Court of Judicature No. 4600.

3. Stackpole, Old Kittery and her Families.

4. Files Superior Court of Judicature No. 144,324.

Lieut. William Mitchell. This body passed an act making it optional with places having less than forty qualified voters,⁵ whether they would send a deputy or not, and thereafter for many years Monomoit exercised the choice thereby offered by voting not to be represented.⁶ As each place was obliged to pay its own representative, the inhabitants thereby saved expense.

Mention has already been made of the fact that a large tract, comprising the easterly part of the place and a portion of the westerly part of the place, was not included in William Nickerson's original purchase from the Indians, but that the Plymouth Court made provision that he should have liberty to purchase this adjacent land to the extent of 1,000 acres, the limits of the same to be laid out by Mr. John Freeman and Mr. Jonathan Sparrow, both of Eastham.⁷ This order of the Court was passed in October 1674, but for some reason no action was then taken under it, Mr. Nickerson proceeding, however, to make purchases as if it had been done. In December 1692, after the death of Mr. Nickerson, Messrs. Freeman and Sparrow finally executed the order of the Court and defined the limits of the tract to be purchased, thereby confirming to William Nickerson, the son, and Sarah Covell, the successors of their father, their title to the tracts he had already purchased, as well as to those not yet purchased.

The action of Messrs. Freeman and Sparrow appears in the following record:

These presents witnesseth that wheras the Generall Court held at Plimouth the first Tuesday of June in ye year of our Lord one thousand six hundred and sixty-five the aforesaid Court was pleased to Grant to severall of ye freemen of ye Ancient Colony of New Plimouth a Certaine

5. A qualified voter must at that time possess real estate of an annual value of 40 shillings or other property worth 50 lbs.

6. The first representative chosen after 1692 was in 1768.

7. See page 75 supra; also Plym. Col. Rec. V, 154.

tract of land at Monamoy which was said to be purchased of ye Indians by William Nickerson, Senr. of late deceased, there being nine of the aforesaid freemen and the aforesaid Nickerson was to have an equall proportion of land with the said nine men whose names are specified in sd act of Court, the Court was pleased to Grant unto said nine men & William Nickerson an hundred aeres a peece of ye lands adjacent at Monamoy that were not yet purchased, the said nine men seeing cause to sell their Grant and title to sd Nickerson as will appear by an Instrument under hand and seal of said nine men, And sometime since ye aforesaid William Nickerson petitioned the Generall Court for to appoint meet persons for to lay out sd Lands adjacent at Monamoy purchased by him of the sd freemen or nine men, sd Court considering of sd Petition Ordered John Freeman and Jonathan Sparrow both of Eastham to lay and bound out sd lands. Accordingly we have measured and set out sd lands to William Nickerson and Sara Covell as successors and assigns to ye above sd William Nickerson deceased on ye fifth of December in ye year of our Lord one thousand six hundred and ninety-two all those lands betwixt the sd Nickerson's bounds at Monamoy and the Bay on ye Easterly side of Monamoy contayning eight hundred aeres, with an addition on ye Westerly side of ye lands formerly purchased by William Nickerson deceased Contayning two hundred aeres Bounded by ye mouth of ye creeke that goeth out of ye Oyster pond at Machpoxet and so ranging Westerly to ye head of ye meadow or marsh that lyeth on ye easterly side of a River called by ye name of ye Red River and so as ye sd River runs into ye Sea till it comes to the creek that runs out of ye aforesaid Oyster Pond or Machpoxet. As witness our hands ye day and year above written.

John Freeman

Jonathan Sparrow.^s

8. Plym. Col. Deeds VI. 109. "Ye Oyster Pond at Machpoxet" was commonly called in old documents the Little Oyster pond.

The territory thereby laid out to Mr. Nickerson and Mrs. Covell, comprised all the land in the easterly part of Monomoit, lying east of a line from Frostfish Creek to the head of the Oyster Pond and thence to the Mill pond and secondly, a tract of 200 acres in the southwest part of the place, being part or all of the tract purchased by William Nickerson, Sen, of John Quason in March 1678-9.⁹

The tract of 800 acres in the easterly part of the place was never purchased by Mr. Nickerson, but remained in the occupation of the Indians for many years. It was called the unpurchased land or Indian land. Mattaquason, the old sachem of the tribe, early followed the English custom and parcelled out these lands to members of his family and tribe in severalty. About 1670 he conveyed to his daughter Sarah, the wife of Stephen, alias Maskuck, alias Stephen Mashuasuke,¹⁰ that part of the tract called Cotelpinient Neck (Old Harbor).¹¹ To another daugh-

9. I think that the description of this second tract was intended to cover all the land bought by Nickerson in March 1678-9, but the language used is scarcely adequate for that purpose. See page 76, note 58, for a description of this purchase of March 1678-9.

10. This is probably the same Indian who, under the name of Wasnecksuk, signed for the Monomoyicks in October, 1675, the pledge of fidelity to the Pilgrims, (page 83, note 18). Wasnecksuk and Mashuasuke look much alike in early writings.

11. "The Testimony of Jeremlah Menekosh aged 7* years Doth Testifie and say That about fifty years ago The ould sachem of Monemoy called Matequason gave unto his Daughter Sarah Quason a piece of land called Cochpincah neck, so far up as a great Rock and some short Trees near sd Rock; so over sd neck to a place Called Wampag, so all Round sd Neck untill It Com to a place Called pasher where they marked some pine Trees. This I heard the above sd sachem say That he Gave all The above sd Land unto his sd Daughter Sarah and To her Children not To sell or Dispose of, and The sd sachem Mentioned all The above sd Bonnds and also Gave her all sd Land Runing from the above sd Bonnds and also gave her all sd land Runing from The above sd Pine Trees by an Indian path Through The middle of a valey unto The Round field and so Round To The Rock above mentioned. And ould Mr. Bourne The minister Then made a Writing which writing I have since seen In Mercy Nickersons hands, And The Deponant further saith That The same time The above sd Sarah and her Husband Lived on sd Land and Improved Thereon and Sarah had Three Sons named Dogonus Richard Steven, and Mataquitt Who Lived and had famerly settled on sd Land Long after The Death of Their sd mother and father Stephen and when Dogonus Stephen and Mataquitt Dyed They left each of them a son namely Peter Dogonus Simon Stephen and Stephen Mataquitt who are now Platts, which Stephen Mataquitt hath a house on sd Land and some of Sarahs family have Lived In the possession of sd Land

ter, the wife of Cousins, Indian, he gave the tract east and south of the Mill pond, called then Tom's Neck.¹² His son, John Quason, obtained a tract at Cotehpiniuct near his sister Sarah,¹³ a part of which he seems to have sold later to Jeremiah Nickerson. South of him at Hammond's Hill (now so called) was Menekish or Menekosh, who had twenty acres, bounded east on the bay, north on John

Ever since. And further saith That Thomas Nickerson Jur Last year sett a house and fence on sd Land and hath Improved part of sd Land.

Janur 20th 1719 Taken upon Oath In Court

Attest Wm Bassett Cler.

A true copy Compared with yt on file

p. Wm. Bassett, Cler.

(Files Superior Court of Judicature No. 13,717.)

John Cousins, minister about 70 years of age testifies & saith that I formerly very well knew old Mataquason an Indian sachem of Manamoj formerly so Called. I also knew an Indian woman named Sarah & she was ye reputed Daughter of sd Sachem & she married with one Stephen about fifty years ago. Some time after I was present when sd Mataquason (ye sachem) bounded out a neck of land called Cotehpiniuca neck & gave it his sd Daughter Sarah & old Mr. Bourne being then present writ ye deed of gift which Contained ye whole of sd neck & the sd Sarah with her husband settled on sd neck & lived thereon all yr Days & had three sons Doggomus, Stephen & Richard who all three of them married & lived on sd neck of land all their days (some of them at least) and had each of them a son, namely Simon Stephen, Peter Doggomus & Stephen Maataquit and these three sons are ye now appellants who have lived on sd land ever since (some of them at least) one of them is yet living on sd land: And I remember sd Doggomus ye eldest of ye three sons sold ye easternmost part of sd neck to William Nickerson & bounded it out which bounds wear expressed in sd deed which deed did not comprehend any land now In Controversy that being on ye east side of the neck & this In Controversy lyeth on ye Westernmost side thereof.

April ye 21 1720 then ye abovesd John Cousins made oath to ye truth of ye above written evidence, Lieut Thomas Nickerson being notified & present

before Peter Thacher

Jus. pence.

Files Superior Court of Judicature No. 15,919.

12. See page 76, note 59 supra; also page 98 and notes 51 and 52.

13. See the following deed dated March 25, 1697[-8], from John Quason to William Nickerson son of William Nickerson of Monomoit: "All yt my land at or near a place commonly called & known by ye name Kotehpiniuct lying on ye north side of a parcel of Lands of Menekishes & adjoining to said lands, a stone marked with M. on the top of a Cliff & so down to ye water & along said waterside till it come to Jeremlah Nickerson's Land to a stone marked N & so along by ye side of said Jeremlah Nickerson's Land Westerly as far as I ye said John Quason have any land In yt place & so to ye land of John Acheheu & from ye Land of John Acheheu unto ye Lands of Wm. Nickerson and Mr. Samuel Smith deceased & so along sd Nickerson & Smith's Land until it meets with ye Westerly part of ye Lands of Menekish & so Ranges by ye side of Menekishes land Easterly till it Comes to ye first specified stone marked M." Deed also grants right to Nickerson and his heirs "to cut wood & fencing stuff & timber of any of my other lands for his use from time to time & at all times as he has occasion." Files Superior Court of Judicature No. 3611.

Quason's land and west on land of John Quason, Jr.,¹⁴ (later sold to Samuel Smith and William Nickerson). Joseph Quason obtained a tract running from the head of the Oyster pond east to the bay and adjoining Cousins' land at Tom's Neck.¹⁵ North of him was Nick or Nicholas, Indian, and probably east of and near the Stepstone meadow (now so called) was the land of John Acheheu.¹⁶

As we have already seen, William Nickerson, son of the first settler, in 1689, purchased a part of Cotchpinicut neck from the sons of Sarah, then deceased, and settled there soon after, and in 1691 Mr. Samuel Smith of Eastham acquired by purchase the whole of Tom's Neck.¹⁷ With these exceptions, the whole of this tract in the easterly part of the place was in possession of the Indians, when Mr. Freeman and Mr. Sparrow laid it out in 1692, as part of the 1,000 acres which the Court had authorized the first settler to purchase.

In the year 1693 the first recorded meeting of the inhabitants was held.¹⁸ William Nickerson, Sen, son of the first settler, was then the clerk of the village, chosen at some former meeting, for there must have been meetings of the village ten or twelve years before this date in order to choose the constable, grandjurymen and other village officers. At this meeting held on June 12,¹⁹ George Godfrey and Joseph Nickerson were chosen fence viewers ("survaiors to veueue men's fences") and William Mitchell and Joseph Harding as "towns men," to make up or repair

14. See deed from William Ned, alias Calley, to William Nickerson, Jr., dated Nov. 28, 1733, Files Superior Court of Judicature No. 36,172 and deed from William Cawley, alias Ned, to Richard Knowles dated Dec. 3, 1733, in said Files No. 36,204.

15. Deed from Samuel Sprague to Richard Sears dated March 3, 1707-8; also deed Joseph Quason to Samuel Sprague dated Oct. 12, 1702, (Josiah Palne papers).

16. See above mentioned deed to Richard Sears; also note 13 supra.

17. Pages 98 and 99 supra.

18. The reader will note that the whole history of the place to this point has been gathered from sources outside of the town records.

19. The exact date of this meeting does not now appear on the town records, the edges of the old book of records having worn off, and it is supplied from a copy made in 1857 by Mr. Dean Dudley of Boston and published in the Yarmouth Register of Apr. 30, 1858. Rev. Mr. Freeman (History of Cape Cod II, 587) in 1863 gives the date as May 12, but a comparison of Mr. Dudley's copies with those made by Mr. Freeman shows the former to be a better reader of the old handwriting.

men's bounds.²⁰ Lieut. Nicholas Eldredge engaged at the same meeting to procure for the village, a half bushel, a peck and a half peck, that they might have correct measures by which to buy and sell their products. Joseph Harding above mentioned, son of Joseph Harding of Eastham, was a recent settler. Thomas Atkins, son of Henry Atkins of Eastham, and Benjamin Phillips, perhaps son of Thomas of Yarmouth, also settled at Monomoit about this time.

In October of this year William Nickerson Sen. and Mrs. Sarah Covell, the proprietors of a large part of Monomoit after the death of their father, sold and conveyed to Samuel Sprague of Marshfield a third part of their entire holdings, making him an equal partner with themselves. How Mr. Sprague came to interest himself in this property so far distant from the scene of his other activities I have not been able to discover. It was probably a matter of speculation with him. He was the last Secretary of Plymouth Colony and a man of influence and standing in his day.²¹ He acquired from them "All that the one-third part of all our undivided and unpurchased lands at Monamoyet aforesaid and places adjacent, which in ye right of our father William Nickerson deceased we now have, Hold and enjoy by virtue of Deeds of feoffment Given us under ye hand and seal of our said father, That is to say more particularly, we do hereby Give, Grant & sell unto the said Sprague the one third part of all our right of Lands contained in ye Deed of Mattaquason & John Quason, Indian Sachems of

20. Rev. Mr. Freeman (History of Cape Cod II, 587) states that at this meeting William Nickerson and Joseph Harding were appointed "agents for the repairs of Monomoy meeting house." This is another error due to the difficulty of reading the handwriting in the early records. It was William Mitchell who was appointed with Joseph Harding and they were to "mak up or repara men's bounes [bounds]." There is no evidence that there was a meeting house at Monomoit at this date. The words "men's bounes" in the records were thought to be "Mono'house" and this was *supposed* to refer to a Monomoy *meeting* house.

21. He was son of William Sprague of Charlestown and a resident first at Duxbury and later at Marshfield. He died in 1710, leaving a family.

Monamoiet, Given unto our said father under the hands and seals of ye said Sachems Bearing date June ye 19th 1672, Together with all our one third of purchasing lands in said Monamoiet and places adjacent Granted by ye Generall Court of ye late Colony of New Plimouth unto our said father, William Nickerson deceased, in ye month of June 1665, onely excepting out of this Grant & Sale all our own and other persons particular alotments, possessions and rights of lands Before this Date confirmed unto them by our said father or ourselves or either of us."²²

The Hall neighborhood, which became a part of Monomoit in 1691, as we have seen, and which then consisted of "several families,"²³ viz, the Halls, Severance and Ellis, was soon increased by the addition of the families of Benjamin Hall, brother of Gershom, and of Elisha Eldredge, son of William, of Yarmouth.²⁴ Early in 1694 these settlers were induced to join with others living at Satucket (now Brewster) in petitioning the General Court for incorporation as a town.²⁵ The petition was dated May 30, 1694, and on June 5th an order was passed referring it to the next General Court, to be then passed "provided there be no just reason given to the contrary by any person to this Court" before that time.²⁶ There is nothing on record to show that any notice was ordered to be given to the Monomoit authorities, as was customary, and nothing to show that they knew of the proceedings, although they were, of course, interested parties. At the next session of the General Court, without further proceedings, an act was passed on September 4, 1694, incorporating the town of Harwich and apparently, but not certainly, including in it

22. Plym. Col. Deeds V, 500.

23. See the petition on page 102 supra.

24. Eldredge bought in 1693 with Severance and Ellis of Jacob Crook, Indian. He remained only a few years, removing thence to the lower part of Eastham, now Wellfleet.

25. State Archives Vol. 113, 59.

26. State Archives Vol. 113, 59.

the Hall neighborhood. The act provides that "whereas there are a competent number of inhabitants already settled upon that tract of land commonly called Satucket, containing a sufficient quantity of land and lying convenient for a township, * * * that all the said lands lying betwixt the bounds of the town of Yarmouth upon the west and the town of Eastham on the east, running from the head of Bound Brook to the head of Namskaket, about ten miles in length and about seven miles in breadth, extending from sea to sea, be and henceforth shall be a township, the town to be called Harwich, * * * provided it doth not intrench upon former grants referring to townships."²⁷ It is rather singular that no mention was made of Monomoit in this act and no boundary established between it and the new town. The little village appears to have been entirely ignored throughout the whole proceedings.

The year 1694 presents little else of public interest to record. George Godfrey seems to have been the constable this year and William Nickerson clerk, but he did not record anything, or his record has been lost.

At a meeting of the inhabitants on May 10, 1695, William Nickerson Sen. was chosen treasurer, being also clerk. Joseph Nickerson was grandjuryman this year and William Griffith Sen. constable. On August 10 Mr. Samuel Smith was chosen commissioner to carry a list showing the valuation of the place to the shire town, Barnstable.²⁸ These lists from each place in the county were then forwarded to Boston and formed the basis for assessing Colony taxes. This year Edward Small, or Smalley, probably came with his family from that part of Dover, N. H., now Durham, and settled. He had brothers who settled in Truro, the whole family coming to the Cape to secure im-

27. State Archives Vol. 113, 87.

28. Rev. Mr. Freeman (History of Cape Cod II, 587) states that Mr. Smith was chosen *Coroner* and Commissioner. How he arrived at this conclusion is not clear. There was no such office as coroner in the Cape towns in that day.

munity from the Indians, from whose attacks they had suffered on the then northern frontier.²⁹ William Cahoon also came about this time, and Moses Godfrey, brother of George, settled at Cotehpinicut Neck as early as this year.³⁰

In February, 1696, a meeting was held at which Lieut. Nicholas Eldredge and Ensign Hugh Stewart were chosen to go to Pamet (Truro), but for what purpose is not stated. The records for the March meeting this year show a full set of officers chosen: William Nickerson Sen., Joseph Harding, Thomas Atkins selectmen, Thomas Nickerson constable, William Cahoon grandjuryman, Benjamin Phillips tithingman, and William Nickerson Sen. clerk and treasurer. At the same meeting it was ordered that all the householders of Monomoit should kill twelve blackbirds or three crows and bring the heads to the selectmen on pain of forfeiting six shillings, this to be done by the middle of the next May. Young men who were "at their own keeping" were to kill six blackbirds or two crows; penalty, three shillings in case of failure.³¹ This order was repeated and renewed by the town many times in subsequent years. It was a common regulation in those days for the protection of farmers.

On July 1, 1696, Lieut. Nicholas Eldredge delivered to the village two guns, forty pounds of bullets and two

29. Stackpole, Old Kittery and her Families 733.

30. "Moses Godfree of full age testifyeth & saith that I have lived neer about twenty-three yeers neer to the land now in controversy between Peter Doganus, Simon Stephen & Stephen Mortequit of one partle & Thomas Nickerson Jr of the other partie" * * *. Dated March 24. 1719 20 Files Superior Court of Judicature No. 13,780. In spite of this testimony, he was a householder at Monomoit in March 1696. See the note following.

31. Robert Tomlon, William Griffith Sen, James Griffith, William Cahoon, William Nickerson Sen, Joseph Nickerson, Jeremlah Nickerson, Nathaniel Covell and William Covell complied with this order, but Tristram Hedges, Robert Nickerson, Matthew Tomlon, Samuel Eldredge, William Griffith Jr. and Moses Godfrey failed to do so. The "defective persons" were ordered on July 1 to clear the way to mill [i. e. to the water mill at Satucket, Brewster] and the way to Nauset [Eastham] and the selectmen were to discount out of their fines so much as their labor amounted to. These roads, the present Brewster and Orleans roads at East Harwich, were not in the limits of Monomoit, but this seems to have made no difference.

pounds of powder to be in readiness for the use of the village as its common stock of arms and ammunition. The inhabitants left it in the hands of Mr. Eldredge to keep for them. Every community was required to keep such a common stock for purposes of defense. It was for the use of the local military company, which existed in the place throughout the colonial period, and which was, doubtless, organized pursuant to the order of the Plymouth Colony Court dated July 1681, and quoted in Chapter VI.³² Ensign Hugh Stewart and William Eldredge were chosen highway surveyors at this meeting. This year Samuel Nickerson purchased land in Harwich of William Cahoon and removed thither.³³

The highways within the village were at this time still in a very rough and partially cleared condition.³⁴ The main road of the place was that from the head of Muddy Cove running easterly down to the Great Hill, thence over the hill and northerly, as now, to the head of Ryder's Cove. The road from the old cemeteries south to the Hawes corner is, also, a very old way. The present south road to Harwich was, also, laid out early and was known as the road to the "inlands," by which name the unpurchased or Indian lands in the easterly part of the place were sometimes called, to distinguish them from the "outlands" or common lands in the westerly part of the place. There was, also, an early cart-way leading down to the head of the Oyster Pond, thence easterly around the Oyster Pond meadows and southerly to Stage Harbor, where a "stage" or wharf was early

32. Page 89 supra.

33. Page 123 supra.

34. "This is the number of persons that worked about the hiways Insine Hugh Stuard, William Grefeth, Nathaniel Tomlon, Nathaniel Nickerson, Joseph Harden, William Nickerson, John Nickerson Jr., George Godfree, William Nickerson, Jr., Mathw Tomlon, Thomas Ackens, Trestram Hages, William Eldred. These parsons worked about clearing the hiways the thirty day of July in the year 1696. Recorded by me William Nickerson Clark."

erected for the common convenience.³⁵ All these roads now exist substantially as they were first laid out, a few straightenings only having been made. The main north and south roads to Harwich became later known as the King's roads or Queen's roads.

The officers of the village for the year 1697, chosen at the March meeting, were as follows: Selectmen William Griffith Sen., William Eldredge, William Nickerson, constable Thomas Atkins, tithingman Moses Godfrey, grand-juryman Edward Small, surveyors and fence viewers Nicholas Eldredge and George Godfrey. John Smith and his sister, the wife of Daniel Hamilton, this year came into possession of the farms of their father, Samuel Smith, at Tom's Neck and probably settled there soon after.³⁶

Mr. Jonathan Vickery appears to have settled this year, also, and to have been employed as the minister of the place. After the death of William Nickerson Sen., in or about 1690, it is likely that Rev. Samuel Treat of Eastham, as the nearest minister, was occasionally heard at Monomoit. After Rev. Nathaniel Stone came to Harwich, he seems to have regarded Monomoit as a part of his charge. Cotton Mather in his "Magnalia Christi" mentions Mr. Stone as the minister in 1696 of "Falmouth, Harwich and Manamoyet."³⁷ His oversight of the spiritual affairs of the place, if any, was short, as Mr. Vickery came as early as the spring of 1697.³⁸ He was the son of George and Rebecca (Phippen) Vickery of Hull, Mass. He was not an educated man nor an ordained minister, but a lay preacher. By occupation he was, like all the residents of

35. Wharves were at this time called "stages." Hence arose the name Stage Harbor, which means wharf harbor or the harbor where the wharf is. For a good picture of these early stages see Winsor, Narrative and Critical Hist. of America IV, 3.

36. Barnstable Probate Records, estate of Samuel Smith.

37. Magnalia Christi I, 87.

38. He witnessed a deed on July 5, 1697, from William Nickerson et al to Samuel Sprague, Plym. Col. Deeds, V, 501.

Hull, a fisherman.³⁹ He became a freeman of the Colony May 8, 1678. He was the executor of his father's estate in 1679,⁴⁰ and appears to have resided at Hull until his removal to Monomoit. His wife was Elizabeth, daughter of John and Ann (Rogers) Hudson of Duxbury.

What were the terms on which he consented to preach, it is impossible to state. The farm of thirty acres located near the former Hotel Chatham station, on which he lived, may have been given him by the village at the outset.⁴¹ If so, it was probably procured with money or other commodities accumulated in accordance with the order of the Colony Court of June, 1679, mentioned in Chapter VI.⁴² It is more likely, however, that nothing was ever done under this order of Court and that Mr. Vickery bought the farm himself and was simply hired to preach for a stated period or periods. It should be remembered that, at this time there was no organized church at Monomoit. Those who were church members there, were connected with the Eastham church and subject to its discipline, and a preacher was then desired at Monomoit only to relieve them of the long journey to Eastham. Mr. Vickery was promised a supply of hay and wood for his use, according to the general custom,⁴³ and was paid, probably, at the rate of about 20 pounds a year. In 1699 he sold his house at Hull to one John Steel and cast his lot for life with Monomoit.⁴⁴

39. N. E. Hist. and Gen. Register VI, 338. In their fishing excursions the people of Hull and of the lower part of the Cape frequently came into business relations. Benjamin, a brother of Jonathan, married into the Palne family of Eastham. This may explain how Mr. Vickery was induced to come to Monomoit.

40. Suffolk Probate Records, estate of George Vickery.

41. This farm bounded east on John Nickerson's land, south on the White pond, north on the common land and west on the road from the old cemeteries across to the Hawes Corner at West Chatham. See page 124, note 83, and a Proprietor's Book for Chatham, Town Clerk's office.

42. Page 87 supra.

43. "The 3rd day of September, 1697, William Nickerson doth promise to get one load of hay for Mr. Vickery this year & cart it into his yard. Insine Hugh Stewart do. one load. Nathaniel Covei do. Thomas Nickerson do. Joseph Harden do. Thomas Atkins do."—Town Records.

44. Suffolk Deeds XXI, 547.

The year 1697 also marked the termination of the war with the French, begun in 1689 and known as King William's War. There were no land hostilities in New England of any consequence in the latter part of this war, but sea-board places like Monomoit were, of course, constantly in fear of sudden attacks from roving French privateers.

In 1698 the inhabitants chose Nicholas Eldredge, William Eldredge and Thomas Atkins as selectmen, William Cahoon constable, Joseph Harding tithingman and Nathaniel Tomlon grandjuryman. In June of this year Rev. Grindal Rawson of Mendon and Rev. Samuel Danforth of Taunton travelled through this section of the Colony to inspect the progress of the work among the Indians. They found at Monomoit on the Indian lands in the east part of the place 14 Indian houses, indicating about that number of families. They reported that their preacher was John Cousins and their rulers or sachems were John Quason and Menekish.⁴⁵

In 1699 Hugh Stewart, William Griffith Sen. and Joseph Harding were selectmen, Moses Godfrey constable, Joseph Eldredge tithingman, Samuel Eldredge grandjuryman and William Cahoon and William Covell fence viewers. At a meeting in August the selectmen were ordered "to make all the reates that shall come to our place this yeare," also "to raise 10 pounds of money to pay Mr. Vickery by the last of October," and to collect all debts owing the village. The amount raised this year by taxation for Mr. Vickery and other purposes were "35 pound od money."

In 1700 the village officers were Joseph Harding, Thomas Atkins and Thomas Nickerson selectmen, William Cahoon treasurer, William Nickerson constable, Thomas Atkins tithingman, Hugh Stewart grandjuryman, and Hugh Stewart and Joseph Harding fence viewers. This year, acting under the stimulus of Mr. Vickery's work, the village

45. Mass. Hist. Collections (1st Series) X, 133.

voted to build a meeting house, the first one erected for the use of the white people.⁴⁶ At a meeting on Feb. 15, 1700, it was voted to "bield a meten hous of 20 and 2 foot floor and 13 foot in the wall." For this purpose they "made chose of Gorg Godfree and William Nickerson to lok after and see the work be don and at the same meten the inhabetence ded agree with Edward Small to be the *fore work-man* to get the tember and to frame the hous with the help of the inhabtance and the inhababbetance ded agree to take thare tornes and goo out with Edward Small to get the tember two days a pese tell every man had took his torn." It was also agreed "That every man that had a teme should drag on lode to plase of the tember."

Having provided for framing the structure, the people at a later meeting in May of the same year agreed with William Eldredge to bring them boards and planks to finish the building, the same to be delivered by the middle of June. The inhabitants chose George Godfrey and William Nickerson to receive the finishing, if brought, and if not brought, they were to look elsewhere and buy boards and planks and all other finishing for the house. At the same meeting they made a rate of £6, 1s., 2d. to pay for the meeting house frame. In August the inhabitants met and ordered that "those men that had not took ther torn in going out to get the tember for the meten hous nor drod ther lod nor help to frame, that they should pay them that ded the work for them and when the reat is made it shold be took from thar reat that had don the work and aded to them that had not took thar torn in doing the work."

46. The order of the Colony Court dated June 1679 (see page 87 supra) establishes the fact that there was no meeting house at Monomoit at that date. If any had been erected after 1679 and before 1700, it would naturally have been mentioned somewhere in the vote of the town in 1700 and some disposition made of it. The vote of 1700 is to build "a meten hous," and nothing is said about any former one. It is evident from the vote that all the timber put into it was new. In 1728, when the second meeting house was built, the vote was to build a "new meeting house" and the old one was mentioned.

After the framing which seems to have taken place in the early summer, the work progressed slowly, but in the autumn it was so far advanced that at a meeting in October the inhabitants "ded agree with Thomas Atkenes to look after the meten hous and sweep it and to lok and unlok it as occasin sarve and at the same meten the inhabitenee ded agree that thar shold be a reat mad of eleven pound to defra our town charges and promessed Thomas Atkenes ten shiling a yeare for his panes of sweping the meten hous." The finishing was not all completed this year, for in May 1701 the selectmen were instructed to buy more finishing and go on and finish the meeting house.

The building when completed, was plain and rough, but was doubtless one of the most pretentious affairs in the village. There were no shingles nor clapboards upon it and no glass for the windows. There was no steeple nor even portico. Inside there were no pews except, possibly, one for the family of the minister. Long benches were arranged facing the pulpit on each side of a centre aisle. The men sat on one side of the aisle, the women on the other side, the oldest persons occupying the front seats and the others being arranged in the order of age. It was used for all public meetings of the village whether religious or secular.

Mr. Vickery gathered his people into this new building and a period of prosperity and content seemed to stretch out before them, when suddenly he was taken away from them by a disaster, which cast the village into a state of gloom for many months, and which must have seriously retarded its spiritual and material development. On April 30, 1702, he went out in an open boat with a party of villagers, probably on a fishing or whaling trip. The boat in some way was overturned, it is supposed, and all in the party were drowned.⁴⁷ The names of his companions are

47. Rev. Joseph Lord in his Diary (Yarmouth Register Dec. 17, 1846) writes: "After his [William Nickerson's] death there was no one that was settled as a teacher to the

nowhere given, but it is certain that Lieut. Nicholas Eldredge, William Cahoon and Edward Small perished with him.⁴⁸ Mr. Vickery left a widow and seven children, the oldest being of age. His widow survived him only a few years, dying of a lingering illness not long before 1706, when the property, neglected on account of the widow's affliction and therefore depreciated in value, was assigned to the two sons, Jonathan and David, they paying certain sums of money to their five sisters.⁴⁹ Later the Court, for reasons stated, assigned the whole to Jonathan, subject to the aforesaid payments, who sold it early in 1714 to Thomas Atkins.⁵⁰ The family had probably left the village before this time. The son Jonathan settled in Truro as early as 1706, and several of his sisters had married in Eastham.⁵¹

Lieut. Nicholas Eldredge, who also lost his life in this disaster, was the eldest son of Robert and Elizabeth (Nickerson) Eldredge, born at Yarmouth August 18, 1650. He lived

people, that I can hear of, till Mr. Jonathan Vickery became such; ye time of whose coming among them I am not certified of. But ye first mention of him that I have yet found in ye town record is in ye year 1697. He continued here till he was drowned by going in a boat, which was overset (as is supposed) and all that were with him were drowned likewise. But ye time of this and how long he continued here, I have not yet learned. But I find him mentioned in ye record in ye year 1699. Since I wrote what is just before, I have found a receipt of his In the year 1700, where he wrote his name Vickery. But, as I have since learned, he was drowned on ye last day of ye second month 1702."

48. Administration on the estates of these three men was granted at about the same time and their inventories were taken on the same day by the same persons, John Doane, William Eldredge and Thomas Atkins. The Probate Records state that they each died on April 30. There is a well defined tradition in the Small family that their ancestor was drowned.

49. Barnstable Probate Records.

50. See note 86 page 124.

51. Children of Jonathan and Elizabeth (Hudson) Vickery (order uncertain): Jonathan, b. about 1683, m. Mary, perhaps daughter of Nicholas Eldredge, about 1705. 2. Elizabeth, b. —, m. Jonathan Collins, son of Joseph of Eastham, Jan. 27, 1704-5 (East. Rec.) 3. Joanna, b. —, m. Samuel Treat, Jr., of Eastham Oct. 27, 1708 (East. Rec.) 4. Mary, b. —. 5. David, b. —, m. 1st Mary Cooke Apr. 24, 1718 (Truro Rec.), m. 2nd Martha Mayo, dau. of Samuel of Eastham (int. Apr. 29, 1720). 6. Rebecca, b. —, m. John Wing, son of John of Harwich July 24, 1723 (Har. Rec.) 7. Sarah, b. —, m. Thomas Hedges of Eastham Jan. 28, 1724-5 (East. Rec.)

at Ockpeset on the farm, formerly of Teague Jones, which he bought in 1686 of Elisha Hedge of Yarmouth. He also owned the John Downing farm, bought of Hedge at the same time, and thirty acres of meadow at Red River Neck.⁵² He appears to have been the leader of the village in military matters and was the representative at the first General Court of the Colony in 1692 after the consolidation. Administration on his estate was granted to his widow Elizabeth July 9, 1702. His inventory shows that he had considerable live stock and owned half a share in a whale boat belonging to the village and in which, perhaps, the party were drowned. His widow was living as late as April 1713.⁵³

William Cahoon may have been related to Joseph Cahoon, who was under guardianship of Caleb Lambert and Joseph Kent in 1681,⁵⁴ and was doubtless a brother of James Cahoon, who was a soldier under Capt. John Gorham in 1690 in the expedition to Canada.⁵⁵ He married

52. Deed from Elisha Hedge to Nicholas Eldredge dated March 22, 1685-6 (Certified copy in M. L. Luce papers). For a detailed description of the property described in this deed see page 107 supra and notes 10 and 11 page 109 supra.

53. Deed from James Eldredge to Thomas Howes dated April 6, 1713. M. L. Luce papers.

Children of Nicholas and Elizabeth Eldredge (order uncertain): 1. Mary, b. ———, m. perhaps Jonathan Vickery about 1705. 2. Elizabeth, b. ———, m. Samuel Harding, son of Joseph of Eastham Aug. 28, 1707 (East. Rec.) 3. James, b. ———, m. Ruth ———. (His will, dated in 1757, calls Solomon Collins his "brother-in-law," but this is an error. Solomon Collins was the father-in-law of Rebecca, dau. of James Eldredge, and this may have caused the mistake. Solomon Collins, son of John, married Eunice, dau. of Samuel Atkins (see estate of said Samuel.) James Eldredge must have married a Ruth, daughter of John Collins, in order to be brother-in-law of Solomon, for Samuel Atkins had no daughter Ruth, who could have married James Eldredge, but there is no evidence that John Collins had a daughter Ruth. His will, dated in 1749, mentions by name three daughters and a child of a deceased daughter, but does not mention any Ruth. 4. John, b. ———, probably died unmarried, as in his last sickness he was ill three weeks at the house of his brother James, who was appointed his administrator Feb. 20, 1722-3. 5. Martha, b. ———, probably m. Benjamin Snow of Eastham, son of Joseph, as 2nd wife Aug. 7, 1723 (East. Rec.) 6. Nicholas, b. ———, m. Hannah ——— before 1724, had one child and died about 1768 (Chat. Rec.) He was unfortunate. 7. Desire, b. ———, m. 1st Charles Galop of Chatham Nov. 10, 1726; 2nd John Dune of Barnstable Oct. 26, 1749 (Chat. Rec.)

54. Plym. Col. Rec. VI, 69.

55. State Archives, Vol. 114, 116.

Elizabeth, daughter of William and Mercy (Williams) Nickerson,⁵⁶ not long after 1690. By deed dated September 14 1695, he bought of Abraham Chase of Harwich, son of William, a tract of about 60 acres in the Hall neighborhood at Harwich, bounding west on Coy's Brook. Two thirds part of this farm he sold, by deed dated June 8 1696, to Samuel Nickerson of Monomoit and the remaining 20 acres, being the north part of the lot, he sold by deed dated June 3 1697 to John Smith, later of Harwich, receiving in each case in exchange the property of the grantee at Monomoit.⁵⁷ In 1697 he was living on one of the farms of Samuel Smith at Monomoit, bought of John Savage.⁵⁸ His inventory mentions a parcel of upland on the north side of the Herring Brook, a meadow lot at Gregory's Neck and one twelfth of a "whale boat well fitted."⁵⁹ Administration was granted to his widow July 10, 1702.

Edward Small or Smalley was the son of Francis Smalley of Ossipee, N. H., Kittery, Me., and other places, who removed to Truro late in life and died there.⁶⁰ Edward married Mary Woodman, daughter of Judge John and Mary (Field) Woodman of Dover, N. H.,⁶¹ and was residing there in that part now Durham as late as 1694. He was of Monomoit as early as 1696. His brothers, Francis, Daniel and Benjamin, settled in Truro. He did not buy land here, as his inventory in 1702 shows only personal estate. He

56. Records Superior Court of Judicature VII, 31; Barnstable Probate Records, estate of William Cahoon.

57. Josiah Paine papers.

58. Barnstable Probate Records, estate of Samuel Smith.

59. Children of William and Elizabeth (Nickerson) Cahoon: 1. William, b. —, m. Sarah — about 1716. (They removed to Harwich soon after 1727. Their children were Mercy, b. May 7, 1717, Sarah, b. Mar. 4, 1719-20, James, b. May 8, 1721, William, Nathaniel, John, Reuben, Downing, Deliverance, Elizabeth, Mary.) 2. James, b. —, m. Mary —. (They removed to Eastham after 1722. Their children were Moses, James, Reuben, Mary, Elizabeth, Sarah, Hannah, Lydia). 3. Others unknown.

60. Stackpole, Old Kittery and her Families 733.

61. Will of John Woodman, Rockingham Co., N. H. Probate Records.

was a carpenter by trade and had charge of building the meeting house in 1700. Administration was granted to his widow July 8, 1702. She appears to have been an energetic woman. She purchased after her husband's death from John Smith and Daniel Hamilton a tract of land at Tom's Neck, where she probably brought up the family.⁶² In 1707 her brother Jonathan conveyed to her twenty acres of land at Oyster River, now Durham, N. H.⁶³ She removed to Harwich and later, before 1717, returned with most of her family to Oyster River. On July 8, 1717, "Mary Small of Oyster River in the township of Dover, late of Harwidg," made Samuel Sturgis her attorney to sell the land at Chatham bought by her of Smith and Hamilton.⁶⁴ She was living at Oyster River, then Durham, as late as 1742, when she conveyed land there to some grandsons. Her son Edward and daughter Elizabeth remained in Monomoit, Jonathan settled in Harwich, and Zachariah and Benjamin afterwards returned and settled in Harwich.⁶⁵

In the year 1701 the village made choice of the following officers: William Nickerson, Sen., Joseph Harding, and Thomas Atkins selectmen and assessors, Nathaniel Covell constable, James Griffith tithingman, Thomas Atkins treasurer, Joseph Eldredge grandjurymen, and William Griffith, Jr., and John Smith surveyors and fence viewers. James Griffith obtained leave to maintain a pair of bars "across

62. Josiah Paine papers.

63. From letter of Mr Josiah Paine, dated Mar. 14, 1910. I am indebted to Mr. Paine for many of the facts about Edward Small here stated.

64. Josiah Paine papers.

65. Children of Edward and Mary (Woodman) Small or Smalley (order uncertain): 1. Edward, b. —, m. Sarah Nickerson probably dau. of John April 3, 1704 (East. Rec.) 2. Elizabeth, b. —, m. Caleb Lambert of Monomolt, son of Caleb, Sept. 1, 1704 (East. Rec.) 3. Jonathan, b. —, m. Damaris Winslow, dau. of Kenelm of Harwich July 30, 1713 (Har. Rec.) 4. Joseph, b. —, m. Jemima Davis at Oyster River Nov. 27, 1718 (Dover, N. H., Rec.) and lived there. 5. Zachariah, b. in 1698, m. 1st Jane Davis at Oyster River Mar. 3, 1720 (Dover, N. H., Rec.), 2nd Hannah Paine, widow of Ebenezer of Eastham in 1742. 6. Benjamin, b. —, m. Patience Baker June 29, 1726. 7. Alice, b. —. Zachariah and Joseph were married by Rev. Hugh Adams.

the way that goes down to the Stage" for one year. This is the road to Stage Harbor. Griffith was probably living at this time on the William Mitchell place, lying between Mitchell's river and the highway, having married Lieut. William Mitchell's widow.⁶⁶ This year Thomas Howes, son of Joseph of Yarmouth, settled at Monomoit, where a few years later he bought the William Griffith farm, near the Indian bounds or inlands.⁶⁷ Jehoshaphat Eldredge, son of William of Yarmouth, also came about this time and settled on the west side of Crow's pond, south of and adjoining the farm formerly of Joseph Nickerson.⁶⁸

66. The exact time of the death of Lieut. William Mitchell is difficult to determine, but as he left only one child and is not mentioned in the village records or elsewhere after 1693, it is thought that he must have died many years before 1709, when his estate was settled by the husband of his widow, who had married again. He was perhaps the son of Richard Mitchell of Yarmouth, about whom little is known. He was a resident of Monomoit as early as 1687. (see note 43, page 93 supra) where he married Mercy, daughter of William and Mercy (Williams) Nickerson not long after. He took the oath of a free man at Barnstable June 24, 1690, was one of the petitioners in 1691 for the enlargement of Monomoit and was one of its representatives to the General Court in 1692. His farm of about 40 acres was located on the west side of Mitchell's river, which was named for him, and lay between the river and the road to the wharf or "stage." Administration on his estate was granted Nov. 1, 1709, to James Griffith, who was then the husband of his widow, and on the same day, Nathaniel Nickerson was appointed guardian of William, his only child, being described as "uncle" of the minor. This son married 1st Tabitha Eldredge, probably daughter of Joseph, Mar. 19, 1713, (N. E. Hist. and Gen. Register XXII, 178) and 2nd Sarah Higgins of Eastham Apr. 10, 1717 (East. Rec.) He sold a portion of his father's farm to Nathaniel Nickerson before 1725 and the remainder before 1740 to Richard Knowles. The description of this remaining part sold to Knowles is as follows: A parcel of upland "lying in the neck called Hog Neck containing Thirty acres be it more or less bounded beginning at a Stone in the ditch near the Highway, thence running Easterly down to the Salt water River, thence running Northerly by said River till it comes to the Land of Nathaniel Nickerson Deceased, thence running Westerly in ye Range of sd Nickerson's land till it comes to Samuel Hambleton's land thence running Southerly by sd Hambleton's Range till it comes to ye land of David Nickerson, thence running by sd David Nickerson's land to the Highway, from thence by sd Highway to the first specified bound." (Extract from mortgage Richard Knowles to Edward Hutchinson et al dated about 1740. Osborn Nickerson papers.) As Knowles in this mortgage says that this tract was bought of William Mitchell, we have here an accurate description of the Mitchell farm, except the part sold to Nathaniel Nickerson. Mr. Knowles sold this tract to Mr. Elisha Doane of Eastham, who by deed dated Feb. 13, 1752, conveyed it to Joseph Atwood of Chatham. (Joseph Atwood papers.)

67. See deed from William Griffith to Thomas Howes dated April 8, 1703, and deed from Philip Griffith to Thomas Howes dated October 22, 1705. M. L. Luce papers.

68. See deed from William Covell to John Crowell, Jr., of Yarmouth dated Sept. 10, 1716. (Files Superior Court of Judicature No. 11,012) and the will of said Eldredge (Barnstable Probate Records).

In 1702 Joseph Harding, Thomas Atkins and William Nickerson Sen. were selectmen and assessors, John Stewart tithingman, Thomas Howes grandjurymen, William Nickerson, son of John, constable, and Nathaniel Covell and William Nickerson Jr. surveyors and fence viewers. Nathaniel Tomlon was hired to build a sufficient pound for cattle, but it is not likely that it was built, as in June 1704 John Smith was chosen to go to Court and answer for the town in the proceedings against it for not having a pound.

William Griffith, William Nickerson, son of John, and Thomas Atkins were selectmen and assessors in 1703, John Smith grandjurymen, Daniel Hamilton constable, Michael Stewart tithingman, Caleb Lambert and Nathaniel Nickerson surveyors and fence viewers. Thomas Nickerson was chosen a commissioner to join with the selectmen in taking an inventory of the taxable property and carry it to the shire town.

The record of the village officers in 1704 has been lost, but it appears from other sources that William Nickerson, Thomas Atkins and Joseph Harding were selectmen and Daniel Hamilton constable.⁶⁹

In 1705 William Eldredge, Nathaniel Covell and Thomas Nickerson were selectmen and assessors, Joseph Eldredge constable, Moses Godfrey grandjurymen, Samuel Eldredge tithingman, William Nickerson, son of John, treasurer, William Covell and Jeremiah Nickerson surveyors and fence viewers. William Nickerson, son of John, obtained permission to set a gate across "the highway that goes down to the Stage" for two years. He had land on each side of this way, his house being on the west side of the way in the vicinity of the present Davis residence. About this time a number of new settlers joined the village, John

69. State Archives Vol. 113, 376.

Atkins, a brother of Thomas, from Eastham, Ebenezer Hawes and Edmund Hawes, sons of John Hawes, from Yarmouth, Robert Paddock, son of Zachariah Paddock, from Barnstable, and Samuel Tucker.

The act of 1694 incorporating the town of Harwich, heretofore quoted, was regarded by all parties for several years after its passage, as including the Hall neighborhood within the limits of the new town. The settlers there attended the Harwich town meetings, paid their taxes in Harwich and one of them, Mr. Gershom Hall, served one year as constable of the town.⁷⁰ Somewhere about the year 1699, however, they began to have doubts as to the meaning of the act, and refused that year to pay their taxes to Harwich.⁷¹ The matter appears to have been much discussed, and in October of that year the Monomoit people appointed William Nickerson Sen. to go to Boston and "desire of the Court that we may be a township and that our bounds may be known between us and Harwich." It does not appear whether anything was done under this vote or not, but the "South Sea" or Hall neighborhood refused thereafter to pay taxes to Harwich, on the ground that they belonged to Monomoit.⁷² Whether they paid taxes to Monomoit or took any part in Monomoit affairs does not appear, but it seems certain that they were assessed there. The matter dragged along for several years without effective action being taken. In 1702 Harwich voted to reimburse its constable for any trouble in collecting of the "South Sea" people, in case "our town's bounds shall not extend so far as to reach them and we shall fail in our expectations therein."⁷³ Again on Feb. 8,

70. State Archives Vol. 113, 351.

71. Harwich Town Records; Freeman, History of Cape Cod II, 495 note.

72. State Archives, Vol. 113, 351.

73. Harwich Town Records.

1703, the town voted to protect and indemnify all former constables in collecting their rates from these people and at the same time chose Ensign William Merrick to bring the subject before the General Court, "that our town's bounds may be fully known."⁷⁴ Before any action was taken, under this Harwich vote, it seems that Monomoit presented a petition to the Court praying it to hear and determine the controversy over the boundary between the two places. This petition has been lost from the files, but it appears that on May 29, 1703, the Council sent this petition down to the House of Representatives with the recommendation that, in this and some similar cases, a surveyor general be appointed. Apparently the House did not concur, for on July 8 it passed an order that the inhabitants in controversy between the two places be rated to Monomoit.⁷⁵ When the General Court met for its next session, Mr. Merrick presented a formal petition in behalf of Harwich under date of October 27, 1703, which was set down for hearing on November 8.⁷⁶ It then appearing that Monomoit, having lost Mr. Vickery by death, had no one who might be called a minister, while Harwich had a learned and capable one in the person of Rev. Nathaniel Stone, the Court thought it best for the time being to refuse the

74. Harwich Town Records; Freeman, History of Cape Cod II, 495 note.

75. General Court Records VII, 338; State Archives Vol. 113, 372 a.

76. The Petition of William Merrick Agent for and on behalfe of the town of Harwich In ye County of Barnstable—Humbly Sheweth That there are about six or seven familys within the sd Town, the heads whereof are Gershom Hall, Benja Hall, Samuel Hall, Munnoa Ellis, Joseph Sefference, and Samuel Nicholson who were at first Petitioners together with other, the Inhabitants to be made a Township have all along been accepted and reputed as belonging to the said town, have acted in all Town affairs and had equal vote and priviledge with other the Inhabitants, the said Gershom Hall served one year as constable of the sd Town, all of them are from time to time assessed and have pd their proportion of Public Rates & Taxes to the Province with other the Inhabitants to the Constable of the sd Town, yet so it is, may it please your Excellency and Honor that for three or four years last past they have refused payment of their Quotas to the Town Taxes on pretence they are belonging to a Constablerick of Monomoit. Your petr therefore humbly prays that there may be an order of this Honble Court to oblige the sd persons to pay and discharge their respective parts of the sd Town rates or Taxes whereof they are In arrears, as of all others which for the future shall be assessed on the sd Inhabitants according to law. State Archives Vol. 113, 351.

demands of Monomoit, until they should have a suitable minister. It accordingly passed the following order under date of November 8, 1703 :

"Whereas the Persons named in the petition of Harwich viz: Gershom Hall, Benja Hall, Sam'l Hall, Manoah Ellis, Joseph Sefferance & Sam'l Nicholson, being petitioners⁷⁷ with others in the obtaining of a grant of the said Town of Harwich and there being a Learned Orthodox Minister settled there, Ordered that the said six families do pay their Arrears of all past Charges in the said Town of Harwich, and that they continue to pay their respective Quotas of all future town Charges there, until there be a Learned Orthodox Minister settled at Monomoit, when this Court may take further order."⁷⁸

If the General Court had erred before in drawing an act leaving the boundaries of the town indefinite, it had again blundered in attempting to correct its mistake. The people of Monomoit, true descendants of William Nickerson, soon found the loophole in this act. It applied only to the six families mentioned. Since 1694 the taxable population at the "South Sea," had been increased by the addition of Isaac Atkins, Beriah Broadbrooks, John Ellis, Joseph Severance Jr., and Samuel Nickerson Jr. With the exception of Mr. Atkins, they were the sons or sons-in-law of the first settlers. The act did not purport to apply to them and the authorities of Monomoit at once proceeded to tax them. Not only this, but when they refused to pay, the constable of Monomoit, Mr. Daniel Hamilton, under orders from the selectmen, levied upon and seized the property of some of them and two of them, Beriah Broadbrooks and John Ellis, he committed to jail.⁷⁹ This was on April 23, 1705. The

77. Samuel Nicholson was not in fact a petitioner as stated. He was not then a resident there. See State Archives Vol. 113, 59.

78. General Court Records VIII, 7.

79. State Archives Vol. 113, 376, 377.

next day Mr. Samuel Sears of Harwich appeared and paid the taxes and costs claimed by Monomoit and obtained their release, for which expense he was reimbursed by the town of Harwich.⁸⁰ The aggrieved parties thereupon appealed to the General Court for redress. They presented a petition under date of May 25, 1705, and an order for a hearing was made thereon.⁸¹ At this hearing, held on October 30, 1705, agents for both Harwich and Monomoit were present and heard, and the Court after due consideration passed the following order, dated November 3, 1705, which was this time drawn with care :

"Ordered that all those who are or hereafter shall be Inhabitants of that tract of land formerly ordered by the Government of the late Colony of New Plimouth to be under the Constablerick of Manamoit,⁸² which was not part of the purchased Lands called Manamoit, shall pay their respective Quotas of all Province & town charges to the town of Harwich until there be a Learned Orthodox Minister settled in Manamoit, *when this Court may take further Order*; and the several sums of money taken for Rates by the Constable or Constables of Manamoit from any of the Inhabitants of the aforesaid tract of land since the order of this Court in November⁸³ last respecting the said Town of Harwich & Manamoit shall be returned to the persons respectively from whom they were taken by the said Town of Manamoit, which being done no trouble shall be given to the Constable or Constables of Manamoit for his or their proceedings in the affair aforesaid."⁸⁴

This order of the Court ended the controversy.

80. Harwich Town Records; State Archives Vol. 113, 377.

81. State Archives Vol. 113, 368, 373.

82. This is the spelling commonly found in the Mass. Colony Records. The name, however, whether spelled with an "a" or an "o," was always pronounced the same way, it is believed. The "a" in Manamolt had the sound of "a" in the word "want," and Manamoit was pronounced as if it were spelled Mawnawmolt, or Monomolt, just as Quason was pronounced Quawson or Quossen, and Asbon, Awshon or Osbon.

83. This must be a mistake for "November before last."

84. General Court Records VIII, 171.

In June of this year the Court abated to Monomoit nine pounds of their last year's taxes "in consideration of so much by them laid on six families then in controversy betwixt said district and the town of Harwich and were assessed by Harwich to the same taxes."⁸⁵

In 1706 the town chose Capt. Joseph Harding, Thomas Atkins and Ensign William Nickerson selectmen and assessors, Daniel Hamilton treasurer, William Covell constable, Nathaniel Nickerson grandjurymen, Nathaniel Tomlon tithingman, Thomas Howes and Joseph Covell surveyors and fence viewers and William Nickerson Sen. clerk. The last named had in fact been the town clerk each year previously, but did not record his election. Edward Small, formerly Jr., died the latter part of this year.⁸⁶

In 1707 the selectmen and assessors were Thomas Atkins, Daniel Hamilton and Edmund Hawes, the constable Robert Nickerson, grandjurymen Robert Paddock, tithingman Caleb Lumbert, clerk William Nickerson Sen., surveyors and fence viewers, John Smith and Joseph Eldredge. This year Jonathan Godfrey from Eastham settled in the village.

At the regular meeting in March 1708, Thomas Atkins, Daniel Hamilton and Ebenezer Hawes were chosen selectmen and assessors, Thomas Atkins town clerk, Thomas Howes constable, Jonathan Godfrey tithingman, William Covell treasurer, John Atkins and Moses Godfrey surveyors and fence viewers and John Nickerson, son of John, grandjurymen. This year Richard Sears, son of Paul Sears of Yarmouth, settled at Monomoit. By deed dated March 3 1707-8, he purchased of Mr. Samuel Sprague all the lands

85. General Court Records.

86. Administration was granted to his widow Sarah Jan. 8, 1706-7. She died in about a year and administration on both estates was granted to William Nickerson Jan. 9, 1707-8. They left one child, Bathsheba, who in July 1723, had Elnathan Eldredge as guardian.

and rights of the latter paying therefor 205 pounds. This included all that one-third interest in the undivided and unpurchased lands at Monomoit which he purchased in 1693 of William Nickerson and Sarah Covell, also a farm in the easterly part of the town which Sprague had bought of Joseph Quason, extending from the head of the Oyster pond east to the salt water and bounding south on the tract at Tom's Neck owned by the Smiths.⁸⁷ The Sears family soon became a leading family in the place, retaining that position for a century and a half and then becoming one of the leading families of Boston. On April 27, 1708, Richard Sears was allowed "to fence across the highway that g— to — [James] head in tow places where it was convenient for sd Seears to fence his land, only sd Seears is to make and maintain convenient gates on the highway for they that have ocation to pass the highway in and out, so to contenu tell the town sees caus to alter it."

This year the inhabitants "did inact that their should not a ram run at large upon the commons, that is to say, the land that lay as common, from the first of August tell the last of October one penalty of being forfeit or a prize to him that shall so find a ram as above and it shall be lawfull for any person that find any ram running as above-sd to kill or dispose of sd ram as he sees cause, further it is agreed upon the authority abovesd that if any person shall so find a ram that they shall bring the account of ye ram and mark to ye town clerk." This order was renewed and re-enacted in subsequent years.

For 1709 Daniel Hamilton, Thomas Atkins and Ebenezer Hawes were selectmen and assessors, Thomas Atkins clerk, William Covell treasurer, Nathaniel Tomlon constable, Joseph Stewart tithingman, John Atkins grandjuryman, Nathaniel Covell and Robert Nickerson surveyors and

87. See deed from Samuel Sprague to Richard Sears dated March 3, 1707-8. Josiah Palne papers.

fence viewers. Daniel Sears, a brother of Richard, settled in the village this year, becoming a partner with his brother in the Monomoit lands.

Joseph Eldredge, Moses Godfrey and Thomas Atkins were selectmen and assessors in 1710, Ensign William Nickerson treasurer, Thomas Atkins clerk, [John] Nickerson Jr. constable, Ephraim Covell tithingman. The surveyors were the same as in 1709. This year Nathan Bassett, son of Nathaniel Bassett of Yarmouth, settled at Monomoit, buying an interest in the common land of the Covells and locating on the south side of the road just west of the present East Harwich meeting house.⁸⁸ The village voted to reimburse Serg. Daniel Hamilton for the money he had laid out in "looking after Hannah Tucker when she was not capable to provid for herself."

In 1711 the selectmen and assessors were Ebenezer Hawes, Ensign William Nickerson and William Nickerson son of John, Thomas Atkins clerk, Nathaniel Covell treasurer, Nathaniel Nickerson constable, John Ellis tithingman, Samuel Taylor grandjuryman. The surveyors of 1710 were re-elected. It was voted that no one should "drive any sheep for shearing till the last Monday of May, that is any sheep that runs on the lands that ly as commons one penialty of forfeiture of twenty pounds money to be paid to him or them that shall complain of and prosecute for the same." Thomas Atkins was chosen to make a pound and he was to have 35 shillings for his labor. This time the pound was built. It was located on the corner opposite the old cemeteries on a lot which was part of the common land.⁸⁹ The town also voted to exempt from taxation both land, boats and men, in case Mr. Daniel Greenleaf of Yarmouth should purchase a piece of land at Monomoit either on an island or on the main land convenient

88. "A Proprietors' Book for Chatham," Town Clerk's office

89. "A Proprietors' Book for Chatham," Town Clerk's office.

for "feshery" and should set forth a boat or more, not exceeding three, on that design. Mr. Greenleaf was the minister at Yarmouth and, as he continued in that work, I presume this vote amounted to nothing. The "feshery" referred to was the whale fishery, of which these were the halcyon times on the Cape. Nearly all the young men adopted this pursuit. Watchmen were stationed along the shore bluffs, who gave the signal when a whale appeared, a boat's crew was gathered and the attack made on the monster. These lookouts were maintained for many years, until the whales were driven into deeper water by the treatment received.⁹⁰

The officers of the village chosen in March 1712, the last officers of Monomoit, were Ebenezer Hawes, John Smith, and John Atkins selectmen, Thomas Atkins clerk, Nathaniel Covell treasurer, Nathaniel Nickerson constable, Samuel Nickerson tithingman, Joseph Eldredge grandjuryman, and the same surveyors as in 1711. This year Ephraim Covell sold his farm and removed to Harwich. John Ellis, a recent settler, son of Manoah Ellis of Harwich, died on October 19, leaving a family.⁹¹

During the last ten years a second war with the French and Indians had been in progress in the Colonies and elsewhere. It began in 1702 and was known as Queen Anne's War. In May 1704 Col. Benjamin Church sailed with 550 men, 14 transports, 36 whaleboats and 3 ships of war

90. A writer in 1746 reports: "Formerly for many successive years, they [the whales] set in along shore by Cape Cod, there was good Whaling in Boats, proper watchmen ashore by signals gave notice when a whale appeared. After some years they left this Ground and passed further off upon the Banks at some Distance from Shore. The Whalers then used Sloops with Whale boats aboard and this Fishery turned to good account. At present, they seem in a great measure to be drove off from these Banks and take their Course in deep water, that is, in the Ocean." "This year (1746) not above 3 or 4 Whales caught on Cape Cod." Douglass, Summary 1, 60, 59.

91. John Ellis of Harwich married Martha Severance, daughter of Joseph, June 21, 1706, (East. Rec.) She was appointed administratrix of his estate Jan. 7, 1712-3. On June 23, 1717, "Widow Ellis' Benjamin, Joseph, John and Thankful" were baptized. (Har. Ch. Rec.) These four are believed to be his children.

against Acadia, whose coasts he ravaged. Probably many from Monomoit went with him, as Col. Church visited every town on the Cape the winter before, seeking recruits for the whale boat fleet. Later in the war there may have been some, who served under Col. Nicholson at Lake Champlain in 1709, where he gathered a force to go against Canada. Still others may have been with him in 1710 at the capture of Port Royal, and again in 1711 in the ill-fated expedition against Quebec, but the detailed record of these interesting movements is not to be found.⁹²

92. In general it can be said that the Cape people in these times were not anxious to leave their families at the mercy of privateers, in order to fight the French and Indians on the northern frontier. Capt. John Thacher writing to Gov. Stoughton on Dec. 22, 1694, respecting warrants for impressing soldiers, reports as follows: "From Monomoy I had one man sent forthwith who waited 7 or 8 days, but not a man more appearing I released him. * * * * I would only crave leave further to say that we in this County are under very greate disadvantage at this time especialy for our men were allarmed with the press neare a fortnight before the warrant came to me, souldiers being prest and sent from the northern towus. So that ours were upon their watch.

2 ly. All our young and strong men are employed in whaling and mostly have their rendivous remote from the towus and if they see any man coming towards them, presently mistrust; make a shoute and run into the thickets. .

3 ly. Those that can't avoyd being taken, If they have money, pay and if they have it not, they will make friends and get it." Proc. Mass. Hist. Society Vol. 43, 507.

But while they avoided impressment as much as possible, it is certain that many throughout the Cape towus were to be found in the whale boat fleets, which Col. Church five times led against the northern enemies during King Willian's and Queen Anne's Wars.

CHAPTER IX.

REV. HUGH ADAMS AND THE INCORPORATION OF THE TOWN.

After the death of Mr. Vickery, the inhabitants, in January 1703, agreed with Mr. Gershom Hall of Harwich to preach to them, promising to pay him "twenty pound yearly so long as he continew in that work." It is supposed that he served as preacher at this time and also a part of the next year, as in November 1704, the inhabitants voted to raise "ten pound to pay Mr. Hall for his coming and preaching for us the last sumer past." In April 1705 they were again on the lookout for a preacher and, in May 1706, they offered Mr. Hall 26 pounds a year, if he would come and preach to them, but without success.

Mr. Hall was not an ordained minister. He was, like Mr. Vickery, a layman, who possessed natural gifts as a speaker. He was the son of John and Elizabeth (Larned) Hall of Barnstable and Yarmouth, being born in the former place March 5, 1648. He married Bethiah, daughter of Edward Bangs of Eastham, and settled on the east side of the Herring river at the "South Sea," a little before 1688, being a pioneer in that locality. His neighborhood, as we have seen, was annexed to Monomoit in 1691 and he was chosen as its first deputy to the Plymouth Court. He was by occupation a farmer and millwright. "His house, it is understood, stood on the high ground which overlooks the meadows, near or upon

the spot where the late Isaiah Kelley's house stood."¹ He died October 31, 1732, and was buried at Nobscusset.²

In July 1706 the selectmen were authorized to interview Mr. Hall again and see if they could not get him for six months, and if not, then to get "a coleg man as cheap as they can." They reported to the village on October 31 that they had hired a college man for six months for 15 pounds and his board, his time to begin from the first Sabbath of October. The person referred to was Rev. John Latimer, the first educated minister employed in the place. At the expiration of his six months, he was hired, March 13 1706-7, for a year longer at the rate of 48 pounds for the year, he paying his own board, an arrangement probably more to his liking. In 1708 a strong effort was made to induce him to settle permanently. The inhabitants voted to buy the farm late of Mr. Vickery and give it to him, also to buy boards, shingles, etc., whenever he should wish to build a new house thereon,³ to pay him 54 pounds yearly and 10 pounds additional, whenever the "South Sea" people should be added to the village. For some reason, however, the negotiations failed.

Mr. Latimer was the son of John Latimer of Wethersfield, Conn. He was graduated from Harvard College in 1703. It is not likely that he had been settled as a pastor before coming to Monomoit. He was a young man, unmarried and just entering upon his life work. He boarded around at first among his parishioners, among whom he appears to have been popular and with whom he formed some

1. Mr. Josiah Palne in Deyo, History of Barnstable Co., 835.

2. Mr. Hall's first wife died Oct. 15, 1696, and he m. 2nd Martha Bramhall of Hingham. Children of Gershom and Bethlah (Bangs) Hall: 1. Samuel, b. in 1669, m. Patience Ryder of Yarmouth Feb. 7, 1697. 2. Edward, b. in 1671, m. 1st Mercy Stewart, dau. of Hugh, of Monomoit; 2nd Sarah, widow of Daniel Cole, Nov. 17, 1717. 3. Bethlah, b. about 1672, m. 1st Kenelm Winslow of Harwich; 2nd, Joseph Hawes of Yarmouth. 4. Mercy, b. —, m. John Chase of Harwich. 5. Jonathan, b. —, m. 1st Hannah Bramhall of Dover, 2nd in 1751, Elizabeth Hedge of Chatham.

3. The house on the place was then old and out of repair.

strong friendships. He went from Monomoit to that part of Eastham called Billingsgate (Wellfleet), where he was resident in 1711.⁴ He died in Boston late in 1713 unmarried. In his will he remembered two of his friends at Monomoit, Mr. and Mrs. Moses Godfrey, with a legacy of 50 pounds.⁵

On August 1, 1709, the term of Mr. Latimer having expired and further offers being refused by him, the village chose Daniel Hamilton as town agent to look out and hire a minister. Two months later (Oct. 20) Mr. Hamilton and Ebenezer Hawes were chosen "to make preparation for a minister, that if Mr. Cotten comes to Sandwedg for them to accompany him here to this town and provid for him here." The Mr. Cotton referred to was probably Rev. Theophilus Cotton, a graduate of Harvard in the class of 1701, and brother of Rev. Rowland Cotton, who was settled at Sandwich. If he came at all, his stay was short, as in January, 1710, the inhabitants "agreed to heir Mr. Short for halfa year, if he could be heired." Rev. Matthew Short, who is referred to, came and preached a few months in the early part of the year, receiving 15 shillings per Sunday. He was the son of Henry and Mary or Sarah Short of Newbury, Mass., born March 14, 1688, and graduating at Harvard College in 1707. Fresh from his studies, he doubtless gathered experiences from his brief stay not wholly valueless in his later career. He settled at Attleborough, being ordained there November 12, 1712, where he remained till May 31, 1715. He was at Saco, Me., from 1716 to 1722⁶ and the following year was settled over the East Precinct of Norton (now Easton), where he died April 16, 1731.⁷

4. State Archives, Vol. 113, 606, 607.

5. In his will dated Nov. 27, 1713, he describes himself as of Eastham, but then residing in Boston. John Otis of Barnstable was his executor. Suff. Probate Records, XVIII., 196.

6. He was Chaplain of Capt. Samuel Hink's Co. from March 28 to November 21, 1722, at Winter Harbor, Me. N. E. Hist. and Gen. Register XV, 286.

7. For a full account of Mr. Short see Chaffin, History of Easton. See the Appendix of this history for one of Mr. Short's sermons. See also a pamphlet entitled "A Thankful Memorial of God's Sparang Mercy," by Mr. Short (Boston Pub. Library).

On June 26 1710, the village voted to raise the balance due him for preaching and chose John Atkins "town agent" to procure a successor. It does not appear from the town records whom Mr. Atkins engaged, but Rev. Joseph Lord in his Diary states that Rev. Jonathan Russell Jr. and Rev. Benjamin Allen were heard here about this time.⁸ They supplied the pulpit only a short time, Mr. Russell succeeding to his father's pastorate in Barnstable after the death of the latter on Feb. 2, 1711, and Mr. Allen settling later at Bridgewater.

It will be observed from the foregoing narrative that the village had been rather unfortunate in its efforts to secure preachers. Although, since the death of William Nickerson Sen., it had been steadily growing in population, although new settlers, coming from Eastham on the one side and from Yarmouth on the other, had increased the village to above fifty families, although it was no longer obliged to hire lay preachers, but could support a regularly trained minister, yet it had failed for some reason to keep those who had come to them for any length of time. Mr. Latimer, who stayed longest, had remained only two and a half years. The reason for this probably was that the outlook for the place was not considered to be bright. It was small in area and the General Court had refused to increase its territory. According to the ideas and mode of life of that time, it could never accommodate many settlers. Moreover its location was thought to be unfavorable, in those times when England was almost constantly at war with France, as it was considered to be peculiarly exposed on two sides to attacks from French privateers, who occasionally hovered

8. "After Mr. Short was Mr. Russel awhile and Mr. Benj. Allen too. Mr. Russel's mother has told me that it was likely that he would have settled here, if it had not been that, his father dying, he supplied his father's pulpit and succeeded his father." Diary of Rev. Joseph Lord, Yarmouth Register, Dec. 17, 1846.

around the coast and threw the people into a panic. This continued lack of settled church conditions soon had its effect on some of the settlers. They became discouraged at the prospect. Others were dissatisfied with the taxes which the Colony levied upon the place, considering them to be burdensome. Still others were in fear of impressment in the frequent drafts made by the Colony for its army and navy, which would leave their families more defenceless than ever against the dreaded privateers. There were also long standing differences among the people themselves as to the disposition of the common land, on the settlement of which depended the future growth of the village and to which no solution appeared.

The outlook to many of the villagers seemed so dark that, in the spring and summer of 1711, thirteen families emigrated from the village for one reason or another. Of this, *the first emigration*, comparatively little is known. The greater part of the emigrants went to a place in Delaware called Duck Creek, now called Smyrna. It is situated in Kent County on the Delaware Bay. There were 13 men, of age and liable to pay taxes, in the families who went to this place, while 11 other men of taxable qualifications went with their families to other places not known. The emigrants to Duck Creek included the families of Jeremiah Nickerson, son of Joseph, Robert Eldredge, son of Robert, and perhaps Samuel Eldredge.⁹ The movement

9. The evidence connecting Jeremiah Nickerson with this emigration is quite complete. It appears by deed from William Covell to John Crowell, Jr., dated Sept. 10, 1716, (Files Superior Court of Judicature No. 11,012) that Nickerson sold on May 29 and November 28, 1710, 20 acres of upland and 4 acres of meadow at Monomoit to William Covell. On October 10, 1711, Nicholas Nixon, conveyed to Jeremiah Nickerson of Kent Co. Del. a farm of 100 acres on the north side of Murder Creek. (Kent Co. Deeds H. 6). On Oct. 31, 1724, the will of Jeremiah Nickerson of Kent Co., Del., was proved, in which he mentions sons Joshua and Joseph, and daughters Lydia, Ruhamah, Priscilla and Mary, the last two under 18 years of age. The name of his widow is not given. Grandsons Nehemiah and Jeremiah are also mentioned. The appearance of the names Joseph and Ruhamah among his children is significant. See also the settlement of estate of Robert Eldredge (Thomas Eldredge administrator) in Kent Co. Del. Wills in 1732.

to Duck Creek probably extended all over the lower part of the Cape, as Elisha and Isaac Snow, sons of John Snow of Truro, are known to have been among the emigrants there.¹⁰

There were only about 33 families remaining in the village after this emigration, the heads of which were the following, as near as can be ascertained: Thomas Atkins, John Atkins, Samuel Atkins, Nathan Bassett, Nathaniel Covell, William Covell, Joseph Covell, Jehoshaphat Eldredge, William Eldredge, Joseph Eldredge, George Godfrey, Moses Godfrey, Jonathan Godfrey, Daniel Hamilton, Joseph Harding, Ebenezer Hawes, Thomas Howes, Caleb Lumbert, James Griffith, John Nickerson, John Nickerson, Jr., William Nickerson, (son of John), William Nickerson, Sen., William Nickerson, Jr., Thomas Nickerson, Nathaniel Nickerson, Robert Nickerson, Robert Paddock, Richard Sears, Daniel Sears, John Smith, John Taylor, Hugh Stewart, Samuel Tucker.

At this critical juncture Rev. Hugh Adams was induced to come among them in the spring of 1711. He was the son of John and Avis Adams of Boston, born May 7, 1676, and graduated at Harvard College in the class of 1697. An early missionary movement to establish non-conformist churches in South Carolina was then at its height in Boston and vicinity and Mr. Adams was drawn into it. He took his widowed mother and the four youngest children and sailed for Charleston in the summer of 1698, arriving there in July or August. A few months of illness followed, after which, in the spring of 1699, he was settled over a parish on both sides of the Wando river about ten miles north of Charleston. In the fall of this year, his mother, Avis Adams, died of an epidemic at Charleston, leaving the four orphan children to his care.¹¹ He married

10. See Kent Co. Del. Deeds and Wills; especially Book E page 3 of Kent Co. Deeds.

11. She caught the infection while nursing Rev. John Cotton, who died of the epidemic at Charleston Sept. 18, 1699.

here in 1701 Susanna Winborn, probably daughter of Rev. John Winborn formerly of Manchester, Mass., but now probably of South Carolina. Not long after he moved to a parish on the Ashley river about 16 miles west of Charleston, remaining about two years. From here he went to a parish on the south fork of the Edisto river about 50 miles from Charleston. These parishes were all new settlements, where the church members were few. He had trouble in getting his salary and he was harassed by debtors. In this connection a thrilling and interesting incident which happened to him at Charleston, in 1702, is described by him in his narrative of providential occurrences in his life.¹² Discouraged at the niggardliness of his flock and fearing an

12. One "William Scrivener, originally of Kittery in New England, a ship carpenter, but then pretending to be a mighty preacher of the Anabaptist error," having preached several times at a house in Mr. Adams' parish at Ashley River, Mr. Adams determined to meet him in public discussion and combat his doctrines. He challenged Mr. Scrivener to meet him in debate on June 10th, 1702, at this same house, to which Mr. Scrivener replied by naming June 4th as the day and the city of Charleston as the place for the discussion. Mr. Adams suspected that this was a shrewd scheme to get him into the hands of the sheriff at Charleston, who had warrants to arrest him for debt, but he bravely determined to take the chances, and set out on June 9 with Dr. Ferguson, one of his leading parishioners, and spent the night at an inn on the borders of the city. The next morning Dr. Ferguson obtained from the minister of the Church of England the keys to the church, where the discussion was to take place, and brought them to Mr. Adams, informing him that he had seen the sheriff walking along the highway waiting for him, but that, as he was a fat man, he thought he could slip by and outrun him. Fortunately, however, some other parishioners of Mr. Adams came along about this time on their way to hear the discussion, and one of them, John Sullivan, who was riding a fast "Virginia white steed," dismounted and gave his seat to Mr. Adams, who whipped up as he neared the sheriff, dashed by him at a fiery gallop and reached the church in safety, where he locked himself in, admitting only the doctor and his friends when they came. At the appointed time a crowd came and demanded admission. Mr. Scrivener sent word that he could not attend on account of illness, but would be there the next day. The people dispersed, except the sheriff and his deputies, who kept watch for Mr. Adams at the church door. The latter and his friends with him decided to stay in the church, being supplied with food and bedding by thoughtful neighbors. "So," writes Mr. Adams, "was the Church of England my large prison and the Governor's pew the bed chamber for myself and my said companions." The next day the people collected again at the appointed time and Scrivener sent the same excuse. Thereupon Mr. Trot, the Queen's Attorney-General, who was to preside at the discussion, addressed the waiting people outside, telling them of Mr. Adams' plight, and they were so moved by his bravery in coming to the debate under such circumstances that they subscribed money enough to satisfy the sheriff, and Mr. Adams returned home a free man. Scrivener found it convenient to seek the country for his health for several months and the Anabaptist movement in that country met with rather a severe frost.

Indian war which threatened, he returned to New England in the summer of 1706, leaving his wife and ten months' old boy to join him later. He went at once to Braintree, where a new church in the South Precinct was being formed, and became its first pastor, preaching the first sermon in the new meeting house Oct. 27, 1706, and being ordained there Sept. 10, 1707. He had trouble here about his salary, which was small, the parish being in its infancy, and remained only three years after his ordination. After five months in Boston, he came to Monomoit in the spring of 1711.¹³

Before Mr. Adams came, the number of male church members resident at Monomoit, who might have been gathered into a separate church, had been as high as eleven, but after the emigration of the spring of 1711 there were only seven left, who were available for that purpose. The most of these were members of Mr. Treat's church at Eastham, but one of them, Mr. Thomas Nickerson, was a member of the Harwich church, having joined it on October 9, 1709.¹⁴ Moreover, the church building, although in use for about ten years, was not, it seems, wholly completed,¹⁵ and there was no parsonage for the new minister. Several times since the death of Mr. Vickery, negotiations had been entered into with his son Jonathan of Truro, for the purpose of buying his father's farm for the use of the ministry, but no purchase was actually made.¹⁶

13. The above statements regarding Mr. Adams have been obtained chiefly from a manuscript of his written in 1725, entitled "A Narrative of A Particular Faith and Answers of Prayers," &c. being an appendix to a "Theosophical Thesis" written by him and now lost. This appendix is to be found in the Belknap papers belonging to the Mass. Historical Society, to which I am indebted for the privilege of examining it. See also N. H. Genealogical Record VI, 1; 5 Mass. Hist. Collections VI, 11; 6 ib 1, 324; Proceedings Mass. Hist. Society (2nd Ser.) 1, 158; Pattee, History of Braintree; N. E. Hist. Gen. Register XXIII, 297.

14. All his children were baptized with him at this time. His wife had been admitted to the same church on Nov. 14, 1708. Har. Ch. Rec. 4 Mayflower Descendant 247.

15. It was voted, March 23, 1711-12, that the selectmen should forthwith cause the meeting house to be finished. Whether it was done or not is uncertain, as many votes were passed in these early days and never executed.

16. See Town Records. It was finally bought by Mr. Thomas Atkins in 1714. See page 124, note 86 supra.

When Mr. Adams came, another effort was made to provide accommodations for the ministry, and a lot of ten acres was procured from the proprietors of the common lands, on which Mr. Adams erected a house and barn, probably with the help of the inhabitants. Afterwards, when the common lands were divided, Mr. Adams was given a lot of 40 acres next to his house, making a farm of 50 acres in all.¹⁷ This farm was located on the west side of the cross road leading southerly from the old cemeteries and was about 40 rods from the meeting house which stood on the lot now forming the south part of the old cemeteries.¹⁸

Mr. Adams, who was procured for the village by the association of ministers of the county, clearly came at a time when the fortunes of the village were lowest and the emigration movement was at its height. He set himself industriously at work to stay the tide and it must be allowed that he did very much for the village at this time. That he did not succeed in all his plans was probably not altogether his own fault. His idea was to stop emigration by securing the exemption of the people from military drafts and by procuring a reduction of the Province taxes, and at the same time to strengthen the church and village by the annexation of the South Side people and by securing the incorporation of the place with a suitable English name. He was authorized by the village in June, 1711, to prosecute in its behalf a petition to the General Court involving these objects, and the selectmen were authorized to procure and give him ten pounds therefor. This petition, in his own excellent hand-

17. See "A Proprietor's Book for Chatham," Town Clerk's Office; Boston News Letter May 21, 1716; and the following from Mr. Adams' "Narrative of a Particular Faith," &c. That Summer [1711] I Removed my Family unto the Town of Chatham, where I was settled with them in a house of our own, which the Lord had Enabled me to build on my Land of about 50 Acres near the Meeting House."

18. The exact location of the farm may be seen on the map at page 132. The lot of 40 acres is shown thereon as lot 9 and the 10 acres where the house stood adjoins it on the north.

writing and of his own composition, is still preserved in the State archives. It gives an excellent account of local conditions and is presented in full herewith.

To His Excellency The Governour, To The Honourable The Council, And The Representatives of This Province, In The Generall Court Assembled:

THE FOLLOWING ADDRESS OR PETITION OF THE INHABITANTS OF MONOMOY HUMBLY SHEWETH:

Forasmuch as the The Towns in This Province Have happily Experienced, The Christian Rulers of our Land In The General Court Assembled, To Be Nursing Fathers To The Churches of God In Promoting The Interest of Christ's Kingdom amongst them:

We are, therefore, hereby Encouraged also, even in our present Oppressing Aggrievances, to seek a Redress under The Wings of Their Honourable Patronage, Hoping that upon This True Declaration of our Most Discouraging & almost Ruinating Circumstances, The Christian Candour & Paternall Sympathy of His Excellency & Their Honours can not but Compassionate & Relieve us.

Now, although our Settlement for a Township or Village was so far granted unto us by The Honourable Court of Plymouth Government in The Year 1690-1, And We have Since been so Populated as to consist of above Fifty Families, (but now are Reduced by the Frowns of Providence to about Thirty & Three Rateable Families & Male Inhabitants) yet have we never been Favoured with a Gathered Church nor with a Settled Minister: By Reason whereof all this while hitherto our small Congregation may *be Termed Forsaken & Desolate*, and to an Eye of Reason under its present impoverishing & diminishing circumstances, is therefore like to be so worse & worse speedily, even unto utter Desolation, especially if the Inhabitants of our Village shall go on so to sell & Desert, and None others like to come in to Settle in their Room, For Thirteen Families wherein were about Twenty & Three Rateable men have lately Removed away from amongst us, for want of a Minister Settled amongst us, and some by Reason of Taxes & Lest they should be again pressed out to War or into the Galley, Thirteen men of them with the families they belong to, have already Removed away from us Since Last April unto a Place named Duck Creek In Pennsylvania; Besides (except we can speedily obtain some Protection & Relief) Diverse more are purposing to sell (if they can, tho' it be for a song) and to Remove their families thither also by the next Opportunity of a passage, and the other Eleven men with their Families they belong to are Removed out of our Village into other Town

ships for the Same Reasons of our Peerless Discouragements, Oppressions & hazzards of the Enemy by Sea. For our Village or Neighbourhood, being the Very Elbo of all the Cape, the farthest from Boston on a Direct line South East and Nine or Ten Miles Distant from the Nearest Town, which is Harwich, We are the most Exposed to the Invasion & Spoyle of the French Privateers of any Town on the Cape, We having a Good Harbour for a Vessel of Fifty Tunns to Run into & to Ride at Anchor within Musket Shot of several of Our Houses fronting on Oyster Cove & near our Stage Neck. And if the French Privateer, which has been cruising on our Shore or very near it at times frequently ever since the beginning of April Last. (who also chased out to Sea a Sloop belonging to our Place about three weeks ago, should Take any who are acquainted with the channel into our Harbour, They might come in and utterly Destroy our Little Place before we could have any Help from any of the Neighbouring Towns, The nearest of which is Nine or Ten miles Distant from us Moreover We have been so discouragingly burdened with the pressing away our Men to Weaken & Expose us, and with the Unproportionable Quota of our Province Tax, with about Twelve Families taken Off from our South Shore (contrary to the Plymouth Government's Grant of our Bounds) to be under Harwich, And with the Removal of so Many Men & Families from us to the said Duck Creek and Other Places; That we seem to be under No Rational capacity or Probability of ever Obtaining & Maintaining either an Orthodox Learned Minister or a Gathered Church State; Except His Excellency & Their Honours of the General Court will Please to Grant us the Following Petitions:

1. Seeing Harwich People did sometime ago Prevail with this Hon^{ble} Court to Order the said Families of Our South Shore to Pay their Rates with them in helping to Maintain their Minister, The Rev. Mr. Nathanael Stone, and to be in their Military List, to Muster about Ten Miles Distant from the Place of their own & our Defence, so to Remain under Harwich untill we should be settled with an Orthodox Learned Minister; We having been Supplied with such an One already for a Quarter of a Year (who was procured for us & is Approved by the Reverend Ministers of the Neighbouring Association in Barnstable County) With Whom for his effectual Settlement with us we have already Agreed and have obtained his full Consent, on Condition of our Obtaining a Grant of these Petitions, Therefore, now We humbly Request that all the said Families of our South Shore Neighbourhood, from Muddy Cove, Including the Farm of Joseph Nicholson¹⁹ & his sons, along Yarmouth Road to

19. This farm was in Harwich limits adjoining the Monomolt line at the head of Muddy Cove.

Herring River West Southerly, May be Restored to Our Village or Township of Monomoy, from & ever after the Day of the Ordination of an Orthodox Learned Minister over us; For according to the Grant of our Village or Township by the Ancient & Honourable Court of Plymouth Government above Twenty Years ago, our then allotted Bounds Included the Whole Tract of Land from the Said Muddy Cove on the Southern Side of the Yarmouth Road to Herring River including the said Families with their Lands. Herewith also we humbly Request of This Most Honourable Court a more firm Priviledge of a Township according to the Said Bounds, including all the Islands, Beach and Sedge Marsh Adjacent to the said Tract within it, and That His Excellency with their Honours would Please so far to Christianize Our Township with a Proper English Name as Well as our Neighbours.

II. Since we are so Daily in Danger of the French Privateers (as Mr. Barnabas Lathrope of Barnstable who sailed out of Our Harbour this week having one Samuel Billard a Passenger with him to Boston, can both of them Testifie how we are exposed & how weak handed both we & our South Shore Neighbours are to Defend our Selves) That we may a Little Recruit untill the inhabitants of Our Settlement may multiply by coming in to Dwell on the Desolate Farms, thereby to Increase in Strength to be able to Defend our Selves & to Support the Gospel, and that No more of Our Inhabitants may be Scared away from us (by the fear of a Press); We are, therefore, Constrained earnestly hereby to Petition for a Full Release of all the Men of our So exposed & Diminished Township from all Danger of being Impressed into any Remote Service for some Term of Years according to Their Honours Pleasure.

III. Because, as Diminished, Exposed to Danger & Poor as we are, Rather than be Unchurched & Ungospelized by being Destitute of a Learned Orthodox Minister any longer; We have Adventured (for his Encouragement to Settle amongst us) To Vote—1. To allow Fifty-two Pounds a Year under our Present circumstances. 2. To Raise his Salary gradually to Sixty Pounds in Four Years after our Regaining our South Shore Neighbours. And Afterwards to Raise His Salary as Our Minister's Necessity & Our Town's Ability may grow, Referring any Difficulty herein to the Determination of Eligible Arbitrators. 3. To Raise an Hundred Pounds forthwith for a Personal Settlement for Our first Ordain'd Minister & His Heires. 4. To Allow Him Forty Shillings a year Towards Purchasing Hay & that Every Married Mar in our Bounds shall bring him a good Load of Wood a piece every year; Besides other Freewill Offerings of Helps in Building, Fencing, Manuring & Furnishing with a Stock of Creatures to begin withall, All which we Rationally shall Neither

have Opportunity nor Ability to Perform except we may be help'd accordingly; Therefore We Petition That Our Town May be also Considered & Eased In the Province Tax, Seeing so many of our Families are already Removed & Several More are about to go (having Sold & Purposing to Sell) to go away from us & from our South Shore to the Said Duck Creek & to other Places & they who may Abide here are not able to Joyn with any other church or Town in Going Nine or Twelve Miles to Meeting; seeing also Otherwise We are not like to Prevail with any such Lawfull Minister to Settle amongst us, and upon the Supposition of Regaining Our said Neighbors at the South Shore there will not be above Nine Families helpfull to us; Now Except His Excellency & Their Honours as our Political Fathers will Please to Sympathize with us by Granting these our Petitions, our otherwise Promising Settlement or Township is like to be wholly Desolate by the Removal of its Inhabitants quite away.

Howbeit, To the Mature Judgment of His Excellency & of Their Honours We must leave it, Whether for want of Such a Threefold Remedy Petitioned for, It may not be thought a Pitty to permit the Total Dissolution, Desertion & Depradation of such a Promising tho' Little Village as Monomoy it Self, Considering Especially, How as it has often been heretofore a Place of Relief to Many Ship wracked Vessels & Englishmen Cast ashore in Storms upon the Beech of Sandy Poynt or Rack Cove; So may yet be a Shelter for Such; How Fertile it is also for all Sorts of Provisions & for Good Wheat Especially, It being generally the Best Land of any Town on the Whole Cape, How Likewise It has the most Pleasant Situation & Incomparable Conveniency for most Sorts of Fishery. Thus, We being Probably Now on the very turning Point of Making or Marring our Ecclesiastical & Civil Settlement, so We Plead & so We Pray.

Joseph Harding, Captain of the Village.	
Thos. Nickerson,	
Hugh Stuard,	
Eben'r Hawes,	} Selectmen.
Ensin William Nickerson,	
William Nickerson,	

At A Lawfully Warned Town Meeting at Monomoy, June 27, 1711, Then Unanimously Voted By The Inhabitants, as Witness My Hand.

Thomas Atkins, Town Clerk.

By Way of Postscript.

This is to Inform & Certifie that The People of Monomoy Do not Desire nor Expect the South Shore People to be at any Charge with us in the Hundred Pound Settlement of Our Minister, as is attested by

Thomas Atkins, Town Clerk. ²⁰

At this time the village was willing to do anything which the new minister might suggest. At the meeting above mentioned on June 27, it was voted and "readily granted" to accept Mr. Adams' proposals just as he offered them without change. These included an annual salary of 52 pounds, a 100 pound settlement and other stipulations as mentioned in the petition above quoted, also the grant to him of rights in the common land and a stipulation that the "proprietors" of these lands should endeavor "as soon as possible to make up the matter of their controversy in peace and love." On August 24 following it was voted to raise "one-half of Mr. Adams' salary and one-half of his hundred pound settlement by the last of October next."

In October the petition of Monomoit was duly presented to the General Court and an order passed on the 19th, directing notice to be given to the selectmen of Harwich and appointing a day in the following May for a hearing on the matter.²¹ It appearing now that a delay of six months or more was inevitable before the petition could be acted upon, and that immediate relief from the burdens of the long continued war was necessary for the village, application was made directly to Gov. Dudley, in behalf of the village, probably by Mr. Adams, who was personally acquainted with the Governor, and in January 1711-12 the following order was issued:

20. State Archives, Vol. 113, 609-612.

21. John Mayo and Joseph Paine were appointed in 1712 by the town of Harwich, "Agents to answer in the General Court, in the town's behalf, to the petition of Monomoy and show why the prayer of said petition should not be granted." Harwich Records.

"BOSTON, January 26, 1711-12.

Upon application made to me, setting forth the danger that the village of Monamoy is in, of the French privateers and the weakness of the inhabitants to defend themselves, being so few, I do hereby decree, order and direct that no men of the foot company of the place be taken by impress for any service other than their own Village aforesaid, without my especial orders, under my hand, for so doing. This to continue until further order. J. DUDLEY.

To the Hon. Col. Otis, Barnstable."²²

The hearing appointed for May, 1712, did not take place until June 7, and two days later the House of Representatives by formal vote refused to grant the prayer of the petition. Some kind of an understanding was, however, reached, for on June 11 the following order was passed in the Council, concurred in by the House, and signed by Governor Dudley :

"Ordered that the Village or District now called Monomoy be erected into a Township and the Town named Chatham."²³

The town was named from Chatham in England, but at whose suggestion and for what reason is not known. The other towns upon the Cape at that time, Sandwich, Barnstable, Yarmouth, Harwich, Eastham and Truro, had all been named for English towns, and the desire of the people was for the adoption of a similar name for the new town. That was the custom in those days. It is likely that Mr. Adams had as much influence as any one in the selection of the name, which may have been chosen under the impression

22. Town Records; Freeman, History of Cape Cod II, 594.

23. General Court Records IX. 180. (State Library copy). The copy of the Court Records in the State Archives shows only the favorable action of the Council, (IX, 207.)

that the place might some day become a naval station like the English town.²⁴

Chatham, England, is situated in the county of Kent, on the south side of the Medway about 15 miles from its junction with the estuary of the Thames and 27 miles east of London. The streets of the town are irregular and narrow and with the exception of the docks and fortifications, there are but few objects of interest. The town possesses churches and chapels of various denominations, a ragged school, a nautical school, a mechanics' institute and a lecture hall. The fortifications are among the most elaborate in the kingdom. They were begun in 1758 and completed in 1807; but various alterations and additions have since been effected. Fort Pitt which rises above the town to the west, was built in 1779 and is now used as a general military hospital. It was regarded as the principal establishment of its kind in the country till the foundation of Netley in Hampshire. The main fortifications from which the town derives its importance are situated at Brompton village. Till the reign of Elizabeth the place was a mere insignificant village; but before 1588 the queen established the first dock yard on the site of what is now called the Ordinance Wharf and erected Castle Upnor on the opposite bank of the river for its defence. Under the Charleses extensive additions were made. The history of the town since the attack of the Dutch in 1667 has been mainly the history of its naval and military establishments. The population in 1891 was 31,700: in 1901, 40,800.²⁵

24. Chatham was not named for the famous William Pitt, Earl of Chatham. He was unknown to fame in 1712, being then but four years of age.

I have seen it stated that the town was so named because the ancestor of the Sears family originally came from Chatham, Eng. This is also without foundation. The Sears Genealogy, by Mr. S. P. May, the latest and most authoritative work on the subject, states that the parentage of Richard Sears, the emigrant, and his English home are still unknown.

25. See Encyclopaedia Britannica for a plan of Chatham, Eng.

It will be noted that Mr. Adams did not succeed in securing the annexation of the South Side neighborhood. Harwich people opposed it, and for some reason they prevailed, notwithstanding the fact that the village of Monomoit then had an "Orthodox Learned Minister" settled there. As a result, Chatham became a town *without the addition of a foot of soil outside the original Nickerson purchases and claims*, and its territory has ever since remained practically the same.

The incorporation of the village, at length attained thirty-seven years after William Nickerson Sen. first petitioned for it, appears to have been received by the people with no flourish of trumpets. The fact is not even mentioned in the town records, nor is any copy of the act of incorporation to be found therein. The first recorded meeting of the new town was the annual meeting of March 1713, at which the usual town officers were chosen: selectmen Thomas Atkins, John Atkins, Ebenezer Hawes, clerk Thomas Atkins, treasurer Richard Sears, constable John Smith, grandjurymen Nathaniel Covell, tithingman Samuel Tucker, surveyors Daniel Hamilton and Isaac Hawes. These were the first officers of the town.²⁶

The first few years of Mr. Adams' residence must have been full of activity for him. In addition to supplying the pulpit and managing the affairs of his people before the General Court, his services as a physician were in good demand and he was also engaged in building a parsonage and in clearing and breaking in the virgin soil. Mr. Adams accounted himself very skillful in medicine,²⁷ and he

26. Since 1679, when it became a constablewick, Monomoit had uniformly been recognized as an independent community, not attached to any town, but as far as appears, it had no authority in law to choose any officers except constable and grandjurymen, and after 1691 a deputy. It did, however, assume to proceed and elect officers like a town, as we have seen.

27. In his "Narrative of a Particular Faith" &c Mr. Adams writes of "my Former Travels Into several Countreys of Europe and Africa [probably as a youth] as well as of the Continent and Islands of America, my Instruction from Sundry Able Physicians & Chirurgicals, my hard Studies in the best Books, and my so long Practice and Experience," as giving him unusual skill.

claims to have had patients not only at Chatham, but in nearly every other Cape town.²⁸

It would seem as if, for several years, Mr. Adams and his people got along very well together. There were differences, but not serious ones. The first trouble arose respecting the establishment of a church out of the Chatham congregation.²⁹ This was a matter on which Mr. Adams had set his heart, but when application was made to the County Association of Ministers, according to the practice of that time, to approve the action of the town and install Mr. Adams as their pastor, they replied that there was a dark cloud in the way which they could not see through and advised delay. What this cloud was does not appear. Doubtless, it was the weakness of the place and the poor prospect it then had of ever supporting properly a church, without the addition of the South Side people. When Mr. Adams learned the attitude of the ministers, he urged his people to disregard the advice given and send for ministers from outside the County to come in and install him and organize the church. To this most of them would not agree, on the ground that it was an irregular proceeding, would cause trouble with the neighboring churches to which they belonged, and would prevent their obtaining a regular dismissal therefrom. They preferred to wait till harmony could prevail.³⁰

28. He claims to have had patients in Sandwich, Barnstable, Yarmouth, Harwich and Eastham, as well as in Chatham.

29. In ecclesiastical language there was a congregation at Chatham, but no church. To organize a church it was necessary for the intending church members to obtain letters of dismissal from the churches to which they belonged and organize into a new church.

30. "The testimony of John Atkins and Samuel Tucker of full age is as followeth, viz: * * * When we went out to ye sd Ministers [i. e. of the County] in order to move [them] to bring forward a pastorall charge on Mr. Adams, ye sd Ministers answered us that there was a darke cloud which they could not well see through and advised us to suspend the matter for the present. Now when this return was made to sd Adams, then because we would not strike in with him and fetch other Ministers to ordain him and Rend ourselves from the churches that we belonged to, (when we told him that God was a God of order and that this way that he sd Adams proposed was

Another source of trouble for Mr. Adams arose out of his quarrel with the tavern keeper, Mr. Ebenezer Hawes. The tavern at that time was an important institution. It not only entertained travellers, but was a meeting place, where men gathered to hear the news and get refreshment. Here they bought and sold the products of the farm and made all sorts of bargains, confirming them with a mug of liquor.³¹ Tavern keepers were the most considerable men of their communities. Mr. Hawes had come from Yarmouth a few years before and had opened what was probably the first tavern in the village. It appears to have been located near the house of the late Cyrus Emery. He was an energetic, wide-awake man, popular with the village and well connected. According to the testimony of Mr. Thomas Atkins,³² a friend of Mr. Adams, the tavern and the parsonage were too near together and Mr. Adams saw too much of what was going on. He thought the place was not properly conducted and tried to oust Mr. Hawes. Tavern keepers were licensed by the Court of General Sessions on recommendation of the selectmen, and as Mr. Hawes was one of the selectmen of the town and also a nephew of one of the County Justices, it will be seen that Mr. Adams had undertaken a difficult task.

About the same time reports reached the village affecting Mr. Adams' character. These reports originated with Jabez Lewis of Barnstable and Joseph Webber of Yarmouth, who had probably been South on some coasting

disorderly in our opinions, and instead of bringing Glory to God it Looked as if it was only a platform laid for contention and thereby would bring dishonour to God and therefore dare not Joyn with him) this was the cause of our difference att first with Mr. Adams and then as we supposed Mr. Hawes and sd Adams were very friendly one to the other and at the same time we dare not Joyn with him sd Adams in such an ordinance." Adams vs. Hawes. Files Superior Court of Judicature No 10812.

Mr. Atkins belonged to Mr. Treat's church at Eastham, Mr. Tucker joined Mr. Stone's church at Harwich May 17, 1713. Har. Ch. Rec. 4 Mayflower Descendant 248, 249.

31. Files Superior Court of Judicature No. 38,588.

32. Adams vs. Hawes. Files Superior Court of Judicature, No. 10,812.

voyage and had heard the gossip current along the wharves of Charleston. It is not likely that there was any truth in these reports. The clergy paid no heed to them.

There were also complaints that the teachings of Mr. Adams in the pulpit were not orthodox, that he preached certain things and afterwards denied it and that he was in general somewhat unreliable or "unsteady," as they termed it.

Mr. Adams had set his heart on establishing a church at Chatham and setting things in order there generally and he labored earnestly to that end. At length, however, finding success impossible, he seems to have lost his temper, thrown discretion to the winds and in a sermon preached in February 1715, handled those who differed with him without gloves. His congregation was offended and many refused to hear him any longer. According to the testimony of Mr. John Smith and Mr. Robert Paddock, they were "two of his constant hearers formerly until we were deterred from hearing him any longer, finding of him to be so unsteady and so wilful, which maid us absent ourselves from his ministry, and not onely us, but ye most of ye well affected people of ye Town."⁵³ Mr. Hawes, whom he had rapped in the sermon, was highly offended. He announced in his tavern that there were two or three abominable lies in it and repeated the stories circulated about Mr. Adams' character. This language of Mr. Hawes was reported to Mr. Adams, who thereupon brought suit for slander against Hawes. There was a trial in May 1715, at Barnstable before Justice John Gorham, at which the evidence of Lewis and Webber and others was heard. Justice Gorham decided against Mr. Adams. Mr. Hawes brought a copy of the testimony to Chatham and read it in his tavern, declaring that Mr. Adams "was no more

53. Adams vs. Hawes. Files Superior Court of Judicature, No. 10,812.

lookt upon there (that is, at the said Court) than a little black dogg!"³⁴ At this point it was alleged that Mr. Adams agreed to resign, if a majority of the town was in favor of it, and a town meeting was called and held June 13, 1715, at which it was voted to dismiss him.³⁵ Mr. Adams denied any such agreement and paid his respects in his sermons to those who had voted against him.

At this point it seems that he sat down in his library and wrote a treatise, laying down rules for the guidance of Justices in making their decisions. He called this a "Sacred Directory for a Justice of Peace or Civil Ruler" and in it he laid down seven rules, which he explained and illustrated by citations from the Bible and other books. This treatise he sent to the General Court at Boston with the request that it be printed at public expense and sent to Justices throughout the Colony, so that they should not make any more unjust decisions (presumably as they had in his case), but as he sent in the request anonymously, no attention was of course paid to it by the General Court.³⁶

The town refusing to pay him his salary any longer, he then made complaint against the town in the Inferior Court of Common Pleas at Barnstable in October, but they gave him no redress, except to order an Ecclesiastical Council

34. Testimony of Sarah Eldridge, wife of William Eldridge, in Adams vs. Hawes, Files Superior Court of Judicature, No. 10,812.

35. "For asmuch as five out of seven men of members of the church, inhabitants of Chatham, their beaing no more belonging to sd town, did move to the Selectmen of sd town to call a town meeting becuse Mr. Adams thear minister did so Imprudently unstdilly and contentiously behave himself in many respects contreary to what they say he profosed to sunn of them in so much that they could not in conchance joyn with him nor sat under his ministry any longer and becuse Mr. Adams they say did say that if the Selectmen would call a town meeting and if the maigler vote was for his leaving them that he would do so for he had a better ofer elsewhere.

Now att a town meeting orderly warned and attended one the thirteenth day of June 1715 It was then voted by the votable Inhabitents of said town not to Imploy Mr. Adams in the work of the ministry any longer." Town Records.

36. This treatise in manuscript may be found in the library of the Mass. Historical Society. According to the seven rules laid down by Mr. Adams, Justices should decide 1st impartially, 2nd speedily, 3rd sincerely, 4th deliberately, 5th resolutely, 6th exactly, 7th as they would have others do to them.

of the three neighboring churches at Eastham, Harwich, and Yarmouth. This council, consisting of the pastors, Rev. Samuel Treat of Eastham, moderator, Rev. Nathaniel Stone of Harwich, and Rev. Daniel Greenleaf of Yarmouth, with their delegates, met in November 1715 at the tavern of Mr. Hawes in Chatham. No report of its findings appears to have been handed down to us, but it was evidently favorable to Mr. Hawes, finding the charges against Mr. Adams sustained and forbidding him to preach at Chatham any longer. From this Mr. Adams appealed to another council to be held later.

At the same time he sent an appeal to the General Court at Boston, reciting his grievances and praying relief. On this petition the Council passed an order Dec. 9 1715, referring it to the Quarter Sessions at Barnstable, but as the House took no action, the whole matter fell to the ground.³⁷

The suit of Adams vs. Hawes came up for trial on appeal in the Inferior Court of Common Pleas at Barnstable on Jan. 19, 1715-6, and resulted in a second victory for

37. "Upon reading the Petition of Hugh Adams Clerk, of Chatham, in the County of Barnstable Importing that the Selectmen of the Town of Chatham have refused to see collected his rate for this year according to the town's firm & unanimous agreement with him, That he & his family are like to be oppressed for want of it, that he made complaint & application to the Honble Justices of the Court at Barnstable at their last Session in October last, but had no Redress otherwise than an order for an Ecclesiastical Council of the three next neighbouring ministers of Eastham, Harwich and Yarmouth with their Delegates: which Council accordingly mett and advised so contrary to his expectations that he was immediately constrained to appeal to another Ecclesiastical Council, Humbly Requesting

First, that the petition of his friendly Auditors may be heard & granted & that he be continued in his ministry until another Council be obtained.

Secondly, that the next Ecclesiastical Council may consist of the Revd Ministry & Messengers of the Churches of Plymouth, Duxborough, Marshfield and upper Sctuate.

Thirdly, that for his immediate supply Thomas Atkins his Neighbor may be authorized by Warrant to make & collect his Rate for this year according to agreement.

Fourthly, that the Honble the Justices of the Court of the County of Barnstable may be directed to hear his just complaints against several of his defaming Neighbours.

Fifthly, that the present tavern keeper may no longer be licensed.

In Council Read & ordered that the Prayer of the Petition be so far granted as that he be recommended to the Quarter Sessions of the County of Earnstable and that they give order for the Inhabitants of the Town of Chatham to pay the Petitioner his due as per agreement, until he be regularly dismissed " General Court Records X, 22.

Hawes. Mr. Adams however, again appealed to a higher court, claiming that the jury consisted of friends and relatives of Hawes and that he could not get a fair trial in the County. This appeal was heard in the Superior Court of Judicature at Plymouth in March 1715-6 and here Mr. Adams had better treatment.³⁸ The jury brought in a verdict in his favor, assessing damages, however, at only ten shillings.³⁹

The second Ecclesiastical Council, to which Mr. Adams had appealed after the adverse decision of the former one, met at Chatham April 25, 1716. Its membership is not known, but it is supposed that it consisted of the pastors and delegates from Plymouth, Duxbury, &c, as he desired. This body gave the following decision regarding Mr. Adams: "We can't but look upon him as a man of valuable Gifts and Parts and we hope Pious and Zealous, and one that may yet be Serviceable in the Gospel Ministry in another place; and altho' we can't see any falsehood proved against him: yet we concur in the Judgment of the Former Reverend Council, That his Continuance in the Work of the Ministry in said Town is not desirable, since the differences seem so incurable" &c.⁴⁰ Mr. Adams had also about this time received another setback in the appointment by Gov. Dudley of Mr. Hawes as Captain of the village against his opposition and in spite of his personal acquaintance with the Governor. This was the last straw.⁴¹

38. Adams vs. Hawes, Records Superior Court of Judicature IV, 119.

39. Judge Samuel Sewall who presided at the trial, writes in his diary Mar. 31, 1716: "The jury bringing in for Mr. Hugh Adams against Haws, in the action of Defamation, I said to Adams: Seeing you have Justice done you, hope it will incline you to govern your tongue and govern your pen, and if I were capable to advise you, I would counsel you to pay great deference to the Council of Churches held at Chatham." 5 Mass. Hist. Collections, VII, 76. Sewall's Diary.

40. Boston News Letter May 21, 1716.

41. "And in the Last Place, when in my Distress I had fled for earthly Refuge unto the Commander in chief [Gov. Dudley] hoping to obtain some relief from him on the account of our former acquaintance while we had been fellow travellers together and messmates in a Letter of Mart, ship of H. M. forces. He nevertheless was pleased to turn against me on the bottle side of that Controversie, so as to Commissionate That Antagonist Taverner to be Military Captain of that Town Company; whereby I was thence utterly routed." Mr. Adams, "A Narrative of a Particular Faith," &c in Mass. Hist. Society Library.

Going to Boston, he advertised his farm for sale in the Boston News Letter⁴² and went down to Arrowsic Island, Me., where he preached a few months.

Returning to Chatham in the autumn with two offers, one from Arrowsic Island and one from Oyster River, N. H., he appears to have passed the winter in Chatham, removing his family to Oyster River in the spring of 1717. Mr. Adams was installed at Oyster River, now Durham, Mar. 26, 1718, and preached there for twenty years, having more or less trouble with his parish, but managing to keep control of it till Jan. 23, 1739, when he was dismissed. He remained at Durham, where his son was a successful physician and died there in 1750, aged 74 years.⁴³ A biographer says of him: "He was a good man, an able preacher, a faithful pastor, but so eccentric and opinionated that he made enemies wherever he went."⁴⁴ At the be-

42. This advertisement, which appeared May 21, 1716, is as follows:

"For asmuch as a difference fell out between the People of Chatham and their Minister Mr. Hugh Adams, an Ecclesiastical Council being called, did sit at Chatham on the 25th Day of April last: And upon a full hearing of the Differences there, in their result have thus judged concerning their late Minister, saying: [Here follows the report above quoted.]

This is therefore to inform any Purchaser that the said Minister's Inheritance in said Town is to be Sold for Three Hundred Pounds, viz: A good Double House and a Barn not yet 4 years old, about 40 Rods Distant from the Meeting House and about 50 Acres Land in one Platt, which will produce very good Winter Wheat, Rie, Indian Corn or any Grain, and very natural for English Grass, some acres whereof may be mowed if kept intire. Near 20 Acres whereof is cleared, within fence and arable, a Promising Young Orchard on it & well watered with 2 Pleasant Fish Ponds, the remainder of it a Wood Lott. The whole seated in the very Center of the Town, about 2 miles from the Sea or Harbour. Any willing Purchaser may enquire about the same at said House or at the House of Mr. John Carey near the Bowling Green in Boston." In a slightly different form and with the report of the Council omitted this advertisement appeared again on June 4, 1716.

43 Children of Rev. Hugh and Susanna (Winborn) Adams: 1. Son unnamed b., and d. at his Ashley River parish in 1702. 2. Samuel, b. at the So. Edisto River parish in 1706, probably in June; m. Ist Phebe — about 1728, who d. in 1743, 2nd Rebecca Hall, dau. of Joseph of Exeter, N. H., as early as 1747. He became a well known physician at Durham, N. H. 3. Elizabeth, b. at Chatham May 5, 1713. (Chat. Rec.) 4. Winborn, b. in Boston April 19, 1715. (Bn. Rec.) probably d. young. 5. John, b. at Oyster River Jan. 13, 1718, probably the one who m. in Boston Dec. 23, 1741, Anna Parker. 6. Avis, b. at Oyster River Apr. 11, 1723, m. William Odiorne. 7. Joseph b. at Oyster River Apr. 23, 1735.

44. Rev. E. S. Stackpole in N. H. Genealogical Record IV, 1, where will be found the most complete account of Mr. Adams and his family yet printed.

ginning of his career at Chatham he gave excellent service at a critical period in its history, and deserves to be remembered with gratitude, but he *Hugh Adams.* soon became obnoxious by insisting on having everything his own way and paying little regard to the advice and opinions of others. So far as appears, he was able to hold the friendship of only a few of his hearers, Thomas Atkins, his neighbor, Joseph Harding, into whose family his sister married, Moses Godfrey, and Sarah, wife of William Eldridge. Nearly all the rest turned against him.

He kept a record of marriages and baptisms which is the first church record we have.⁴⁵

Capt. Ebenezer Hawes, the other central figure in this controversy, was the son of Capt. John Hawes of Yarmouth and grandson of Mr. Edmond Hawes of Solihull, Eng., who emigrated to Duxbury and thence to Yarmouth. His mother was Desire (Gorham) Hawes, daughter of Capt. John Gorham of Barnstable. He was born at Yarmouth March 24, 1678-9, and married Sarah, daughter of Isaac and Ruth (Bayes) Norton of Edgartown February 23, 1699-1700.⁴⁶ He removed to Monomoit about the year 1706, buying land on the south side of the main highway between it and the pond now called Emery's pond. He

45. "A record of such as were married by me, Hugh Adams, minister of the gospel in the town of Chatham in New England Anno 1713.

March 19 William Mitchel and Tabitha Eldredge at the house of his grandfather, Mr. William Nickerson Senr before many witnesses.

July 23 Joseph Harding and my sister Jane Adams at our house.

1713, Octo. 1 William Eldredge, son of Joseph Eldredge and Hannah Taylor.

1714 March 23 Seth Crowell and Mercy Nickerson at the home of her father Lieut. Thomas Nickerson by me H. A.

1714 May 17 William Long and Bridget Eldredge at our house by me H. A."

N. E. Hist. & Gen. Register, XXIII, 178.

"1714 Oct. 24 Having preached two sermons in my own Congregation at Chatham from those words written in Acts 8, 36, What doth hinder me to be Baptized? I did then Adventure to Administer Baptism unto my own child Elizabeth, when she was almost a year and six months old, being born May 5, 1713." N. E. Hist. & Gen. Register, XXIV, 27.

46. Yarmouth and Edgartown Vital Records.

was the first innkeeper, of which we have any knowledge. He was elected one of the Selectmen in 1707 and re-elected ten times between that date and 1720. By deed dated March 16, 1707-8, he bought of the Covells one-fifth of their interest in the common and undivided lands at Monomoit,⁴⁷ and became a leading spirit in the settlement of disputes and final division of these lands. He was chosen clerk of the proprietors of these lands in 1713 and recorded faithfully their doings in dividing the property.⁴⁸ He acquired considerable property, including the Benjamin Phillips place and a part of the Joseph Nickerson farm in Harwich, meadow at Seaquanset, &c. He removed to Yarmouth about 1720. There he was soon elected to the General Court by the people of his native town and served them four successive years (1722-6.) He was also often selected

Eben^r Hawes as referee or arbitrator in legal disputes.⁴⁹ He would probably have obtained still higher honors, had he not been cut off in his prime, his death occurring October 7, 1727. He left a large property, inventoried at 2589 pounds. His Chatham property fell to his sons Ebenezer and Benjamin, who did not settle, but disposed of it.

Perhaps the best tribute to his memory that can be given is to present a copy of the estimate of him sent in to the Court by his fellow citizens and filed in the case of Adams vs. Hawes :

"To the Honorable Judges of the Superior Cort to Be held at plymouth on the 27th day of March 1716—and to the Gentmen of the Jury of the same, thes are to signifie that wee whoos names are hereunto subscribed Haveing understud that Mr. Adams our lait preacher hath and Doeth Indever to make Beleve that our Nibor namly Ebenr Hawes

47. Files Superior Court of Judicature, No. 7,374.

48. "A Proprietors' Book for Chatham," Town Clerk's Office.

49. In 1724 he was appointed by the Superior Court with John Thacher and another as arbitrator in several Nickerson cases.

had Discouriged us about and sett us against him the sd Mr. Adams: By what he the sd Hawes had said Consarn- ing his the sd Mr. Adamses preaching Lyes as also about
 * * * * * Now wee can each one for himself testifie that what he the sd Hawes hath said about either of thes things Hath not discouriged us about nor set us against Mr. Adams: and that wee have Each of us Herd so much from and seen so much by Mr. Adams Before the time that Mr. Adams chargeth him the sd Hawes of speeking thes things in his writ: that wee are uttrely Dis- couriged about him and forder do Declaier that he the sd Hawes Hath Bin and still is the most forwardest, forth- puttingest and nobelest man that wee have in our town towards the procuring and promoting the gospel to be preached and settled amongst us: as wittns our Hands this 13th of March 1716.

Jonathan godfre
 Daniel Sears
 william Eldredge
 Isaac Hawes
 Samuel Tucker
 John Taylor
 John Taylor Junr

John Stuard
 John Colens
 testifie to the above Ritten only
 Reserving that what wee have
 known and seen of Mr. Adams
 which hath Discouriged us
 hath been mor Laitly.

John Atkins
 John Smith
 thomas howes
 Joseph Eldredg
 Robard paddack
 Samuel Atkins
 Richard Sears
 william Eldredg Junr
 moras faras
 John eldredg
 Daniel Hambleton
 Ebenezer Stuard
 John Rider
 Joseph Stuard
 James Eldredg
 Samuel Taylor
 Samuel Stuard
 David Smith
 william michel⁵⁰

The Hawes family of Chatham is not descended from Ebenezer, but from his brother Isaac.⁵¹

50. Adams vs. Hawes. Files Superior Court of Judicature, No. 10,812.

51. Children of Ebenezer and Sarah (Norton) Hawes: 1. Jabez, b. in Yarmouth Sept. 13, 1700, d. betw. 1719 and 1728. 2. John, b. in Yarmouth May 3, 1702, m. Susanna Bassett, dau. of Joseph, 1731-2. 3. Desire, b. in Yarmouth Mar. 2, 1703-4, m. John Hedge of Yarmouth, son of John, Nov. 26, 1724. 4. Ebenezer, b. in Yarmouth July 15, 1705, m. Sarah Hedge, dau. of John of Yarmouth, Jan. 16, 1728-9. 5. Isaac, b. at Monomott Aug. 10, 1707, m. Mary Sargent of Gloucester Nov. 11, 1734. (Glou. Rec.) 6. Ruth, b. at Monomott Feb. 3, 1708-9, m. Joseph Thacher, son of John of Yarmouth, Feb. 29, 1727-8. 7. Benjamin, b. at Monomott Oct. 13, 1710, m. Hannah Paddock, dau. of John of Yarmouth, Aug. 25, 1736. (Bn. Rec.) 8. Solomon, b. at Chatham July 6, 1712, died before 1728. 9. Bayes, b. at Chatham, m. Jane Lewis, dau. of Jonathan of Barnstable, July 1, 1744. 10. Jacob, b. at Chatham, died between Jan. 1733-4 and Dec. 1741, dates of settlement of his father's and mother's estate.

presented and settled a mortgage: as witness hands this 13th of March 1716

Jonathan Godfr
Juniel Secus
William Eldred
Isaac Hawes

Samuel Focker
John Taylor
John Taylor Junr

John Stuart

John Coburn
witness to the above Ritten only Ritten that
what wood saw in mine and some of m^r adams
which hath dyed us Ritten in mor laily

John Atkins
John Smith
Thomas Hawes
Joseph Edney
Robert Prudack
Samuel Atkins
Richard Seang
William Edney Junr
moral faw
John Olden

Daniel Hamblen
Ebenzer Stuart

John Reder
Joseph Strick
James Eldred

Samuel Taylor
Samuel Stuart
David Smith

William Michel

10812

Signatures of Early Settlers (1716)

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ASTOR, LENOX AND
TILDEN FOUNDATIONS.

CHAPTER X.

EARLY LAND PROBLEMS.

IT would seem as if the lands at Monomoit must have been laid out by some one long before the place was settled. A fence was erected at an early date running from the Oyster Pond river northerly just west of the White Pond and up to the vicinity of the old cemeteries. West of this fence was the common lands and east of it the lands reserved for settlement. As early as 1674 mention is made of the place where this "ginerall fence" formerly stood, "which is near to ye hed of ye white pond," and later a deed describes it as "ye Rellict of an old fence called ye Generall fence near a little pond running into ye white pond or adjoining to ye white pond."¹

Whether William Nickerson Sen., or some one before him, erected this fence is uncertain, but it is certain that Mr. Nickerson observed in a general way the division of land thereby made, although he did not follow it strictly. As we have already seen,² he reserved all the northerly part of Monomoit for his own farm, his southerly line running from the head of Muddy Cove to the head of Ryder's Cove. The easterly part of the place was then still occupied by the Indians, so that there remained only the central part and a portion of the southern part of the place which was

1. See page 109 note 10; also a deed from Michael Stewart to James Eldredge dated May 22, 1708. M. L. Luce papers.

2. Page 84 supra; also page 93, note 43.

open for settlement. This land open for settlement was divided into shares of 20 acres each and each purchaser of 20 acres was said to own a share of land at Monomoit.³

In 1674, as we have seen, Mr. Nickerson granted farms of 40 acres each in this tract reserved for settlement, to certain of his children and also sold parts of it to outsiders, granting to each purchaser rights of pasturage, cutting wood, &c, in the common lands. As early as 1674, however, he began to encroach on the commons by selling a farm at Cockle Cove to Thomas Crow. Still later the Tomlons and Joseph Harding appear to have had lands granted them out of the commons. Mr. Vickery's farm came out of the common lands, and in 1702 Mr. Nickerson's successors in title sold a large tract at West Chatham to Michael Stewart. As a result of these sales, the area of the commons was cut down, so that it included roughly only the land between the present north and south roads to Harwich and west of the road connecting them, which runs from the Hawes corner, West Chatham, to the old cemeteries, and the upland at Red River neck. (See the map at page 132.)

The experience of Monomoit was the same as that of other places. As the population increased, it was found inconvenient to maintain even this reduced tract of common land. There was a demand to have it divided up and opened for settlement. Conditions changed so rapidly that only a few years after Mr. Nickerson's death, the question of the disposition of the commons began to be agitated at Monomoit.

Now, there were two sets of owners or claimants to these common lands. One set consisted of those who had suc-

3. See a deed from Old Humphrey, Indian, and Zachariah his son, to Cateb Lambert of Monomoit, dated Dec. 2, 1686, the consideration of which was "two shares of land, containing 40 acres more or less, lying and being at Manamojet." Files Superior Court of Judicature No. 8,436.

ceeded to the title of Mr. Nickerson, the original owner of these lands. These people were called the "proprietors" or owners of the common land. The other set consisted of those who had been granted rights or privileges of commons in the land from time to time by Mr. Nickerson or his successors. This latter class were called the "privileged men."⁴ Between these two sets or parties a difference of opinion arose as to their respective rights.

As we have already seen, Sarah Covell and William Nickerson, formerly Jr., succeeded to the title of their father in these lands and in October 1693 conveyed one-third interest to Mr. Samuel Sprague of Marshfield. As early as 1699 Mr. Sprague appears to have exerted himself to settle the dispute by making some offer to the "privileged men" for their rights, but it was clearly without success.⁵ This year Sarah Covell appears to have conveyed all her interest as "proprietor" to her four sons, Nathaniel, William, Joseph and Ephraim,⁶ who thereafter represented her one-third interest or right. Matters remained unchanged till March 1707-8, when Mr. Sprague sold all his one third interest to Mr. Richard Sears,⁷ and in the same month the Covells conveyed one fifth of their one third interest to Mr. Ebenezer Hawes.⁸ Subsequently Mr. Sears conveyed portions of his one third interest to his brother Daniel Sears, to Thomas Atkins and Nathaniel Covell.⁹ The Covells also disposed of their interests

4. See "A Proprietors' Book for Chatham," in Town Clerk's office.

5 "Sir: The reason of my not journeying to Monamoy, as intended when I was last at Barnstable, is first because I never yet understood that those that claim to have right to those lands with William Nickerson, Sarah Covell and myself, do accept of what I then proposed." * * * Letter dated Sept 5, 1699 from Samuel Sprague to Gov. Thomas Blinckley. 4 Mass. Hist. Collections, V, 307.

6. Deed from Sarah Covell to Ephraim Covell dated May 19, 1699. Files Superior Court of Judicature No. 3919. Also deed to Michael Stewart dated Oct. 12, 1702. M. L. Luce papers.

7 By deed dated March 3, 1707-8 (Josiah Paine papers.)

8. See deed from Nathaniel, William, Joseph and Ephraim Covell to Ebenezer Hawes dated March 16, 1707-8. Files Superior Court of Judicature No. 7374.

9. These deeds have not been found, but the Proprietors' Book of Records shows that they must have been given.

in part to various persons and these interests became vested in Isaac Hinckley, William Eldredge, Isaac Hawes, Michael Stewart, Nathan Bassett and Caleb Lumbert, formerly Jr.¹⁰ Mr. Ebenezer Hawes disposed of one-half of his interest to Mr. Seth Taylor of Yarmouth by deed dated March 11, 1711-12. As a result, in or about the spring of 1712, the following "proprieters" or owners held interests in the common lands in the following proportions, as near as can be ascertained: William Nickerson Sen. one third, Richard Sears four-thirtieths, Daniel Sears three-thirtieths, Thomas Atkins two-thirtieths, Nathaniel Covell one-thirtieth, Ebenezer Hawes one-thirtieth, Seth Taylor one-thirtieth, and William Covell, Joseph Covell, Michael Stewart, Isaac Hawes, Isaac Hinckley, Caleb Lumbert, Nathan Bassett and William Eldredge together eight-thirtieths.

Opposed to these in interest were the "privileged men," who had derived their rights from the deeds William Nickerson Sen., and his successors had given. It will be instructive to examine the language of these respective deeds. In the deed to Thomas Crow, Mr. Nickerson granted "liberty of pastures, feedings & woods in ye Commons or outlands as his occasions shall require." To William Griffith as appurtenant to his farm he granted a "priviledge of Common for cutting wood, feeding or grasing." To John Nickerson was granted "liberty to feed upon other lands according to proportion." To John Savage Mr. Nickerson granted a "right to feed his cattle on such lands as are not or shall not be improved for tillage and to cutt hoopoles on the lands that shall lye for commons." Elizabeth Eldredge had "liberty to feed cattel in ye other of his lands according to proportion," John Downing had "priviledge of comons in

10. Caleb Lumbert bought of Joseph and Ephraim Covell by deed dated Feb. 22, 1709-10, all their right in that part of the common land located in Red River neck, being two-fifths of one-third interest. Files Superior Court of Judicature, No. 8005. The deeds from the Covell to the other parties, Hawes, Hinckley, Bassett and Eldredge, have not been found.

ye comons of ye place," Joseph Nickerson had "Liberty to feed Cattle upon Other Lands according to proportion." "By feed upon Other Lands is to be understood the Lands that are not fit for Tillage," and Teague Jones was granted "Comons of pastuers, woods &c." Similar grants were made to Samuel Smith, John Taylor, Moses Godfrey and others as appurtenant to their farms. The successors of Mr. Nickerson continued this practice for some years after his death. As late as 1702 Michael Stewart was granted, in connection with a farm then purchased by him, "a priviledge of cutting firewood as he may have occasion, with herbage & feeding of cattell in & upon ye undivided lands in sd place."¹¹

These rights were clearly valuable and those who held them would not give them up without suitable compensation. The "proprietors," however, seem to have held that, when it came to a division of the common land, these rights were of not much value and might be disregarded. It became finally apparent that the Court would have to decide the controversy and in the spring of 1709-10 Mr. William Nickerson, acting as spokesman or representative of the "proprietors," brought matters to a head by beginning suit against Daniel Hamilton, one of the "priviledged men," for cutting wood on the common land the previous winter. The case was heard first on March 24, 1709-10, before Justice John Otis and was then removed to the Inferiour Court of Common Pleas at Barnstable,¹² wherein judgment was rendered in July 1710 in favor of Nickerson. Sergeant Hamilton appealed to the Superior Court of Judica-

11. For deeds to Thomas Crow, William Griffith, John Downing, Elizabeth Eldredge, Teague Jones and Michael Stewart see M. L. Luce papers; for deeds to John Nickerson and John Savage see Plymouth Colony Deeds and for deed to Joseph Nickerson see Osborn Nickerson papers. See also chapter VII for copies of some of these deeds passim.

12. Records Superior Court of Judicature III, 257

ture.¹³ The case was tried before a jury at the March term 1711 at Plymouth and a verdict rendered for Hamilton, reversing the former judgment. The "privileged men" had established their rights, but what was the value of their interest was still a matter of dispute. At this juncture Rev. Hugh Adams came to the village and it is likely that to his influence largely and to that of Capt. Ebenezer Hawes a final adjustment of the controversy was made. This was accomplished in the spring of 1712. An agreement was entered into under date of March 19 1711-12 between the two parties, by which it was agreed that the "proprietors" should cause the common land to be surveyed and laid out into lots of equal value as near as may be and that the "privileged men" should have three-eighths of said lots assigned to them as owners, and the "proprietors" should have the remaining five-eighths. Pursuant to this agreement, the "proprietors" met on April 28 1713, selected Ebenezer Hawes as their Clerk, voted that the common or undivided lands be divided according to the agreement, chose two men, Mr. Seth Taylor and Robert Nickerson to "procure, agree with & assist a surveyor in laying out sd lands & to procure what other help shall be necessary for ye better carying one sd work att ye proprietor's charg." provided that in drawing lots for the different parcels, the "proprietors" should have five choices out of eight and the "privileged men" three choices, provided for the laying out

13. "Joseph Nickerson of full age testifieth and saith that the lands in controversy where Sarjeant Daniel Hambleton cut wood on in Manamoy for which Ensign William Nickerson brought a plea of trespass against him for at the Court of Common Pleas In Barnstable in April last past which sd action is now by appeal to be herd & tryed at the Superior Court at Plymouth on the 27th day of this Instant & to my knolege by the best information that I have herd, sd very spot of land is som part of that land which I herd my now deceased father William Nickerson often say was part of the undivided lands in sd Manamoy & I often herd my sd father in his lifetime say that the lands in Monemoy which was not then laid out shold by General & shold not be divided & I never knew or herd that sd land was laid out before I lately herd it was granted to Ensign William Nickerson." Dated March 15, 1710-1. Files Superior Court of Indecature, No. 8212. See also testimony of Benjamin Phillips, page 84, note 23, supra.

of necessary and convenient ways to the several parcels and established also the method of drawing lots among the "proprietors" themselves, after the first drawing between them as a whole and the "privileged men." It was also ordered that a piece of land be set off and sold to defray the expense of the suit, *Nickerson vs. Hamilton*.

At a subsequent meeting on May 11 Mr. Daniel Hamilton was chosen as a representative of the "privileged men" to be on the committee to procure and assist the surveyor. This committee selected Mr. Daniel Parker of Barnstable as the surveyor.¹⁴ He entered upon his duties during the following summer and completed his work, so that a meeting of the "proprietors" could be had in the autumn. Forty-three lots were laid out, leaving various small pieces not included in any lot. The location of these lots is indicated on the map at page 132, except lot 24, which can not be located and does not appear in the division.

The meeting of the "proprietors" was held on October 3. It accepted the report of the Committee and of the surveyor and proceeded to the preliminary drawing. The "privileged men" had eighteen choices or opportunities to draw and drew the following lots: 1, 10, 11, 15, 20, 21, 22, 23, 26, 27, 29, 30, 31, 34, 38, 41 and 1-2 of the 40th lot. The "proprietors" had twenty-seven choices and drew the following lots: 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 16, 17, 18, 19, 25, 28, 33, 35, 36, 37, 39, 42, 43 and 1-2 of the 40th lot. Lots 11, 12, 13 and 40 were divided into halves in order to increase the number of choices. Lot 9 was assigned to Rev. Mr. Adams according to the agreement of the village with him at the time of his settlement there. Lot 24 appears not to have been laid out. Mr. Adams had charge of the drawing, numbering the papers

14. William Nickerson and Daniel Sears were employed by the Committee as "taxmen" to assist the surveyor by marking the trees as he proceeded in the work. Files Superior Court of Judicature No. 19,259.

and shuffling them for the drawing, and drawing them out. As their choice came, Mr. Robert Nickerson, chose the lots for the "proprietors" and Sargeant Hamilton for the "privileged men."

The division between the "proprietors" and the "privileged men" having now been effected, it was necessary for each party to divide among themselves the lots which had fallen to them. For this purpose the "proprietors" met on Feb. 2, 1713-14 and made choice of Sargeant Hamilton to number and draw forth the papers for them. Before the drawing began, they voted that Mr. William Nickerson should have, as one of his lots, the 33rd lot adjoining his marsh at the Red River neck.

The result of the drawing was as follows :

		Choice	Lot Chosen
"Mr	William Nickerson	7	42
	Nath. Covell in Mr. Sprages Right	2	4
Mr	William Nickerson	9	28
	Richard Sears in Mr. Sprags Right	15	13
	Dan'l Sears in Mr. Sprags Right	6	16
	Willm Covell in M's Covells Right ¹⁵	11	17
Mr	Seth Taylor in Ms Covells Right	4	43
	Thos Adkins in Mr. Sprages Right	8	8
Mr	William Nickerson	1	5
	Ebenr Hawes in Ms. Covell Right	3	7
	Richard Sears in Mr Sprags Right	14	25
Mr	William Nickerson	13	3
	Isaac Hinkely or in Ms Covell Right	22	32
Mr	William Nickerson	16	35
	Daniel Sears in Mr Sprags Right	18	18
	William Eldredg in Ms Covell Right	5	2
Mr	William Nickerson	24	39
	Richard Sears in Mr. Sprags Right	19	19
Mr	William Nickerson	23	37
	Richard Sears in Mr. Sprages Right	10	14
Mr	William Nicker—	20	36
	Daniel Sears in Mr. Sprags Right	21	12
Mr	William Nickerson	12	6
	Thomas Atkins in Mr. Sprags Right"	17	12 40

The reader will doubtless notice that, in the above drawing, those claiming in Mrs. Covell's right had only

15. It seems that Joseph Harding, William Nickerson, son of John, and John Nickerson, his brother, were interested with William Covell in this share.

half as many chances to draw as Mr. William Nickerson and those claiming under Mr. Sprague. The reason for this is that by previous agreement, Joseph Covell, Isaac Hawes, Michael Stewart, Caleb Lumbert and Nathan Bassett, all claiming in the Covell right, had been assigned, before the drawing, specific portions of the common land satisfactory to all parties, and these portions were in full for their interest. They are shown on the map above referred to.

The procedure for division among the "privileged men" was necessarily more complicated than in case of the "proprietors." Not only was it uncertain what should be the share of each one in the division, but there was a dispute as to what persons were entitled to be called "privileged men" at all. In order to settle these questions, the parties interested entered into a written agreement dated January 29, 1713-14, by which the whole matter was referred to Justice John Otis, Col. John Gorham and Dea. John Paine, disinterested parties, for decision. Their report is as follows:

To all people to whom these presents shal come, Know yee yt wee John Otis, John Goreham & Deacon John paine, being mutually & indifferently chosen by those who are called priviledged men of ye Inhabitants of Chatham & desired to determine, arbitrate & award who were ye proper priviledged psons which ought to shear in & have a right unto ye sixteen lots & half of land already laid out by ye mutual agreement of ye proprietors & those called priviledged men in sd Town of Chatham to be for ye use & propertie of them ye sd priviledged men, their heirs & assigns forever as may appear by an agreement on record in ye proprietors Clerks book of sd Town bearing date Aprill ye 28th 1713 Referance to sd agreement being had & for as much as those which Judg ymselves to be priviledged men as aforsd & have right in & unto ye abov sd sixteen lots & half being at variance and differing about who they are & what proportion each Claimor may Reasonably have in & unto ye before mentioned sixteen lots & half of land & being minded to put a final end, peacable issue & Comfortable determination to ye Controversy, wee ye sd arbitrators being at ye house of Mr. Ebenezar Hawes of Chatham aforsd: having given oportunity for al psons who could lay any Reasonable

Claim to ye prmisses or any part thereof to make their pleas, claims & alligations & duly considered & weiged ye same, have & doe *order*, *award* & set out to each & evirie pson herunder named to have ye several parts & proportions annexed to each name as followeth:

	lots
It: to Insign Stuart or his assigns one lott & an half	1-2-4
to Daniel Hamelton one lot and one eight	1-1-8
to Thom. Howes one lot	1-0
to Joseph Stewart half one lot	0-1-2
to John Smith one lot & one eight of a lot	1-1-8
to Jehoshaphat Eldred half a lott	0-1-2
to Robert Paddock half a lott	0-1-2
to John Taylor one lott	1-0
to William Michel one lot	1-0
to Moses Godfree one lot	1-0
to James Eldred three quarters of one lott	0-3-4
to Samuel Taylor one lot	1-0
to Jonathan Godfree half a lot	0-1-2
to John Nickerson Sen as an apendant to his farm one lot	1-0
to Joseph Eldred one lot	1-0
to William Covell one lot	1-0
to Ebenezar Hawes one lot	1-0

15 & 1-2 lots

which distribution & division will take up fifteen lots & half to be set forth to each priviledged man in a proper method & there will remain one lot which we propose & advise to be the lot near ye meeting house (not having much wood thereon) to be at ye disposition of ye above mentioned Shearers of sd fifteen lots & an half either to sell to pay charg or otherwise to be disposed of as may be Judged best by ye major part of ye Interest in a lawful meeting. And wee the sd arbitrators being chosen to ye service above mentioned as may appear by an agreement in writing Bearing date ye 29th day of January 1713-14 & axcepting the same, do accordingly give in this our award & final determination Relateing to ye premisses this seiventeenth day of february 1713-4 in presence of thes wittness under our hands & seals

Seth Taylor
Isaac Hawes

Jno Otis (seal)
Jno Goreham (seal)
Jno Paine (seal)

Immediately upon the rendering of this award a meeting of the "priviledged men" was called and held on March

1, 1714. The award was unanimously accepted and it was voted to sell lot 1 to pay the expense of the referees and other expenses of the division. The half lot No. 40 was assigned to Jonathan Godfrey, he being entitled to just one-half a lot in the division. Mr. Godfrey was selected to draw the lots and the following choice resulted:

	Choice	lot
"Joseph Stuard for himself, father & Brethren	05	31
Daniel Hamblton	06	22
John Smith	07	20
Thomas Howes	11	27
Joseph Eldredg	15	10
Ebenr Hawes	01	15
Moses Godfre	08	23
William Michal	10	34
Samuel Taylor	13	26
John Taylor	14	38
William Covel	09	29
James Eldredg 3 quarters & hamblton & Smith 1 quart	03	11
Jehoshaphet Eldredg & Robert padock 1 lot	04	41
Joseph Stuard in ye Rights above sd	12	30
John Nickerson as an apendant to his farm"	02	21

The foregoing proceedings and division, with a full description of the several lots, are recorded in a book entitled "A proprietors' Book for Chatham 1713 Ebenr Hawes Chatham," which is now deposited in the office of the Town Clerk at Chatham where by law it is required to be kept and preserved.¹⁶ The record was made by Ebenezer Hawes Clerk for both "proprietors" and "priviledged men." The lots laid out have ever since been the basis for conveyances of land in the westerly half of the town. After the division no meetings of the proprietors were held for many years and those subsequently held were of minor importance. The dates of these subsequent meetings were

16. About the year 1893 the writer found this book in the possession of Mr. James M. Young of this town, it having been given to his father, Reuben Young, then deceased, many years before by Squire Sears, the last representative of the Sears family in the town. Knowing that the law required it to be deposited in the Town Clerk's Office, the writer obtained the consent of Mr. Young to place it in the hands of Mr. Levi Atwood, the clerk of the town. The book has recently been rebound at the expense of the State by the Emery process and is now in shape to last for many years.

March 25 1741-2 (Samuel Stewart chosen Clerk), June 9 1742, July 5 1742, April 26 1749, (Daniel Sears chosen Clerk) Feb. 18 1752, March 9 1752, June 13 1758 (Paul Sears chosen clerk), Oct. 22 1787, (John Emery chosen Clerk).

It is a singular fact that, although this division was regarded as final and as fixing the ownership of the lots, the land or at least that part of it which was not settled upon or enclosed and cultivated, was still regarded as common land for many purposes for many years after this date. Cattle, sheep and hogs were still permitted to roam over it as before and the inhabitants in town meeting continued for many years to regulate the use of the tract for pasturage. The rules most frequently made were that swine should be well yoked and ringed, that rams should not run at large thereon between the tenth of August and the middle or last of October and that no sheep on the common should be driven for shearing before the third Monday of May. It is believed that this common use did not extend to wood cutting, but that each owner after the division cut wood on his own lot.

There was another unsettled land problem of long standing, which disturbed the early years of the village, almost as important as that affecting the common lands. It related to the ownership of Monomoit Great Beach and was not finally settled till the year 1729. The value of this beach lay in the large tracts of salt marsh and sedge grass scattered along the inner or westerly side thereof.

Some of the settlers of Eastham, who doubtless claimed right therein as "Purchasers or Old Comers," were early accustomed to utilize this beach as pasturage and breeding ground for their horses, young cattle, etc., for which it was then well suited, driving them on in the spring and allowing them to range its whole length.

The early Monomoit settlers also used it for the same purpose from the time of the first settlement, and also at times cut hay thereon. They were anxious to secure control of it, on account of its proximity, but they appear to have realized that they had no right to purchase it, at least, without consent of the Court. It appears also that after a time the Monomoit settlers were put to much trouble and loss on account of the use made of this beach. They, therefore, in February 1691, petitioned the General Court for relief, especially for authority to purchase the beach of the Indians.¹⁷ They got no satisfaction, however, as the beach was clearly a part of the Cape "reserve," and the right to purchase it from the Indians rightfully belonged only to those "purchasers or old comers," to whom this "reserve" had been assigned, as explained in chapter IV.

In the course of time there came to be three sets of claimants to this beach. First, the Nickersons and Covells claimed it, as representatives of William Nickerson Sen, on the ground of long use and possession. It does not appear that it was any part of the lands at Monomoit, granted to Thomas Hineckley and others June 7, 1665, and later purchased of them by William Nickerson Sen., or that the Nickersons and Covells claimed

17. "To the Hond Generall Court of Plymouth. The Humble Petition of ye Inhabitants of ye Village of Monamoy. [Here follows the petition quoted on page 102 supra.]

And whereas there lyeth a Beach called the Great Beach Betwixt us and the sea and severall of the Inhabitants of some of our Neighbouring Towns hath many Horses and mares which goe rate free and are brought and hunted from said Beach by the Indians being Employed by the owners of said Horses whereby we suffer great damage by having our food eaten and our fences broken & colts drowned.

We humbly request of ye Honored Court for to grant us libertie for to purchase said Beach and soe leave It to your consideration.

We rest your Humble Petitioners whose names are under written In the Behalf of ye Town.

Monamoy ye 11th of Feb 1690 [1].

Nicholas Eldredge
William Griffith
Hugh Stewart
William Mitchell."

any title to it under any purchase from the Indians. It was plainly not included in the tracts of "unpurchased land" laid out to them in 1695 by Jonathan Sparrow and John Freeman.¹⁸ The claim of the Nickersons and Covells appears to have rested solely upon long continued possession and use, beginning with the first settlement of the village.¹⁹

The second set of claimants were Elisha Hedge of Yarmouth, Samuel Smith of Eastham, David Melville of Eastham and Hugh Stewart of Monomoit, who together purchased the beach in 1694 of John Quason and Josephus Quason. They could not ascertain that the beach had been granted by the General Court to any one and therefore thought that they might with safety purchase it. It was an outlying strip of land near the Nickerson purchase and it probably was not known to them that it was, in fact, a part of one of the three great tracts reserved in 1640-1 for the "purchasers or old comers" as explained in chapter IV, and that the latter alone had the legal right to purchase it of the Indians.²⁰

The third set of claimants were the "purchasers or old comers" themselves, to whom the Cape "reserve" had been assigned in March 1652, or rather their successors in title, for the original "purchasers or old comers" had now all passed away. These persons were said to hold title by virtue of the Royal Grant, that is, by virtue of the original patent from the King to Gov. Bradford. These people did not attempt to exercise their right of purchase from

18. See page 134 supra.

19. "Benjamin Phillips testifies yt wheras I for thirty years standing have known ye Nickerson & Covells to be in pursation of ye Great beach comonly called Manamott Great Beach by feeding & cutting ye grass & erblig on sd beach," 24 April 1724. Files Superior Court of Judicature No. 19,259.

20. General Court Records X, 19. I have not found the original deed to Hedge and others above mentioned, but the following memorandum, made by some one who consulted the County Records before they were burned in 1827, gives an inkling of its contents: "grat Beach deed to Samuel Smith and others—Beghuen at Grat Rock In Jeremiah howes bound in his lline to the sea & southerly—deed dated 1691[?]." Osborn Nickerson papers. For "Jeremiah howes bound" see page 49 note 23.

the Indians till the year 1711. At that date those who had succeeded to the rights of the original "purchasers or old comers" were John Cole, Daniel Cole, Joshua Hopkins, Nicholas Snow, Micajah Snow and Nathaniel Doane all of Eastham and Stephen Hopkins, Prince Snow and John King of Harwich. These nine men by deed dated May 18, 1711, purchased of the heirs of John Quason, viz. John Quason, Joseph Quason, Samuel Quason, Josephus Quason, Sarah Pompmo, Bettie Nopie, wife of Isaac Nopie, and Wawhanana "living in Harwich, Eastham, Monamoy and Yarmouth," a large tract, comprising nearly all of the present town of Harwich and also such title as the Indians could give to Monomoit Great Beach, which is described in the deed as follows: "All that our Great Beach lying between Monamoy and the main sea extending eastwards & westwards so far as our deceased father, John Quason, his right did extend, with all the meadow or sedge ground adjoining & every way thereto belonging from Sandy point home to Sipson's bounds, together with that one Island called Cotchpinicut Island lying between said Monamoy & the Great Beach."²¹ After making this purchase, these men, with others who had joined them, entered into an agreement, under date of March 9, 1712-3, determining their relative interests in the beach as follows: John Cole, Joshua Hopkins, Nicholas Snow, Micajah Snow, Joseph Doane, Prince Snow, John King, Thomas Clark, Edmund Freeman and John Gray each one fourteenth part, Stephen Hopkins two fourteenths, and Joseph Cole, Elisha Hopkins, Nathaniel Doane and Israel Doane each one twenty eighth.²²

21. Osborn Nickerson papers. "Sipson's bounds" were the bounds of the tract belonging to John Sipson and sold by him to Jeremiah Howes by deed dated Feb. 26, 1691, (see note 23, page 49 supra). This tract was later known as the Strong Island propriety. The boundary line between it and the Monomoit Great Beach propriety ran from the north side of Cotchpinicut Island easterly to a great rock in or near the channel, called Untumsket Rock, thence easterly to and across the Beach to the ocean. See deed dated June 17, 1805, from Abner Freeman & al to Ensign Nickerson. Osborn Nickerson papers.

22. Osborn Nickerson papers.

After this purchase, these people appear to have been active in asserting their rights to the beach and to have caused disturbance to Mr. Elisha Hedge and partners, who had been not only using the beach but selling portions of it to others. The result was that Mr. Hedge and his partners in 1715 presented a petition to the General Court at Boston, asking for protection and confirmation of their title.²³ They got no redress, however, the petition being dismissed June 6, 1716.

The dispute concerning the ownership of this beach continued for a number of years after this time. Finally, in or about 1724, there appears to have been some kind of a lawsuit, which was carried up to the Superior Court of Judicature and resulted in establishing the rights of the Nickersons in the beach.²⁴ When this question had been finally settled, the parties came together and agreed upon an equal division of the beach between them. The first meeting of the proprietors and their action is shown by the following record :

At a Meeting of ye Proprietors of ye Great Beach Meadow and Sedge ground Lying in ye County of Barnstable Called Monemoy Great Beach Being assembled on ye 22d day of July 1729 In a Regular Manner as ye Law Directs To choose them a Clerk &

23. "Upon Reading a Petition of Elisha Hedge, John Smith, son & Heir to Samuel Smith late of Eastham Deed, David Melvil & Hugh Stuart of Monomoy Alias Chatham, Importing that whereas they did in ye year 1694 purchase of the Indians John Quason & Josephus Quason of Monomoy alias Chatham in the County of Barnstable a certain Beach comonly called Monomoy Beach lying Eastward of sd Monomoy with severall parcels of meadow or sedge ground lying adjacent therunto as may be seen by an instrument of conveyance under the hands and seals of the sd John and Josephus Quason, wh said Meadow and Beach was never as they can learn by the General Court granted to any Persons whatsoever and therefore they thought they might with safety purchase the same, it being no way to the Prejudice of the said Indians to sell a Beach which was no way likely to be profitable to them, that the said Purchase was made before any law of this Province was made to the contrary, that they have for many years quietly enjoyed & possessed the said Beach with its appurtenances & have since sold and made conveyances of a considerable Part of sd Beach to other Persons, who have quietly possessed & improved the same without any manifest dislike to the Indians, yet notwithstanding some English do trespass upon the said Beach by turning over Horses & Cattle to graze thereon & they also molest & disturb the persons to whom it was sold, Whereby great Inconvenience & Damage is like to ensue to your Petitioners unless timely prevented; Humbly Praying that the General Court will please to take this matter Into Consideration & relieve them by confirming a Grant of the said Beach with the appurtenances which are specified in the Deed of Sale made to them by John & Josephus Quason.

In the House of Representatives ordered that this Petition be continued until the next May session and that in the meantime Publick notice be given by the Petitioners in the town of Chatham That if any persons have any reasonable objection to make they may then be heard." Dec. 6, 1715. General Court Records, X, 19.

24. See note 19 supra.

then made choise of Edward Kenwrick for their clerk who was then sworn to that office—Then also made choise of Joseph Doane Esq. Lieut. Prince Snow, Ensign William Nickerson, Joseph Covell, Capt. John Atkins & Thomas Mayo to be a committee to draw up proposals to lay before said Proprietors Relating to each claimers claim to sd Great Beach, meadow and sedge Ground: Lieut. Thomas Clarke chosen moderator for said meeting.

Attest Edward Kenwrick Proprietor's Clerk.

A true copy as on record examined per James Covell, Cler.

Here follows the abovesaid Committee's return exactly Transcribed: July 22, 1729. We, John Atkins, Joseph Doane, Prince Snow, William Nickerson, Thomas Mayo and Joseph Covell being appointed a committee of the proprietors of ye Great Beach called Monemoy Great Beach from Sandy Point Eastward or Northward to Potanumacut Harbour so called with the Meadow and Sedge ground adjoining and belonging at a proprietors meeting of said proprietors Lawfully assembled ye 22 Day of July 1729 to consider and accordingly to make report to said proprietors what and how much of the premises each of the three claimers of said Beach, meadow and sedge ground shall be in the whole In order that each claimer may Lovingly unite & Incorporate Into one Intire Distinct propriety In ye whole of sd propriety and having Discoursed on and concerning the premises, Do conclude and accordingly report as followeth, that is to say:

1) that they who call themselves Purchasers in Eastham and Harwich that purchased of ye Quasons By virtue of ye Royal Grant their Heirs and assigns to have one third part of said Beach, meadow and sedge ground.

2) that those who challenge In ye Right of Mr. Elisha Hedge, Mr. Hugh Stuart, Mr. David Melvel and Mr. Samuel Smith to have to them their Heirs and assigns one third part of said meadow, beach and sedge ground.

3) that those that challenge In ye Right of the Nickersons and Covells or their ancestors to have to them their heirs and assigns one third part of said Beach, meadow and sedge ground.

And this we give In as our opinion & Report Relating to ye premises.

John Atkins
Joseph Doane
Thomas Mayo
Prince Snow
his
Joseph x Covell
mark

July 22 1729.

Then the proprietors at their sd meeting voted the Committee's Return to be their Mind and Will.

Attest Edward Kenwrick, Proprietor's Cler—

A true copy as appears on the Proprietors Book of Records Examined pr James Covell Cler—

A true copy examined pr John Sturgis Cler.²⁵

25. Files Superior Court of Judicature No. 23,097.

It appears that, at the same time, a committee was appointed, representing all parties, to divide the beach into lots, so that each of the three parties might have their part separate from the others, and that this committee made a report, which was recorded in the proprietors' record book, dividing the beach into six lots of about equal value, and also dividing the meadow at a place called Webb's Island (which seems to have been considered as belonging with the beach) into three lots. As the proprietors' book has disappeared, it is impossible now to give the location of these lots.²⁶ After the committee had finished its work, the three parties met and drew lots for the several parcels laid out. No record however was made of this drawing, but the several parties went on and possessed the lots drawn to them, till the omission in the record was remedied in 1738.²⁷

The westerly side of this beach, from the earliest times

26. This book was in existence as late as 1800 and is described and referred to in the case of Proprietors of Monumoi Great Beach v. Rogers 1 Mass. Reports 159.

27. "At a Meeting of the Proprietors of the Great Beach Commonly called Monemoy Great Beach, Meadow and Sedge Ground Legally Warned, and said proprietors being Assembled in a Regular Manner at the house of Mr. Thomas Hamilton's in Chatham on Friday ye Eighteenth Day of August A. D. 1738 Did then and there Vote and Agree yt upon Consideration that whereas the Committee that was Chosen in ye year 1729 to Lay out the Monemoy beach and Sedge Ground aforesd into three parts In Order for Lotts to be cast that each of the Three Claiming Parties might have their Equal Third part distinct and Separate from Each other and accordingly sd Committee having Laid out sd Monemoy Beach and Sedge Ground into nine Lotts and made Return thereof as appears on Record and the Lotts Being then Drawn or Cast in a Regular manner and each of the three Claiming parties having Improved said Meadow According to said Draught Ever Since, yet notwithstanding the said Draught of ye Lotts Being not to be found on said proprietors Book of Records, ye said proprietors having taken an Account of ye former Draught of said Lotts to ye Ende yt each of ye three Claiming parties may know which Is and accordingly enjoy forever the same third part of the abovesd Meadow and Sedge Ground which fell to them in the aforesd Draught, do Vote and agree as followeth viz: that the former Draught of sd Lotts shall be Recorded as followeth:

1st That they who purchased by Virtue of the Royal Grant Drew and shall have the first Lott, and the fourth Lotts.

2ly And they who Challenge in the Right of Mr Ellsha Hedge and Mr Hugh Stuart & Mr David Melvel & Mr Samuel Sulth Drew and should have the Second and the fifth Lotts.

3ly And those who Challenge In ye Right of the Nickerson & Covels Drew and should have the Third and the Sixth Lotts.

And of ye Marsh yt Lays to the northward of a place Called Webb's Island those that have purchased by virtue of ye Royal Grant Drew ye first Lot and those who challenge in ye Right of ye Nickerson & Covels drew ye second Lott and those who challenge in ye Right of Mr. Ellsha Hedge and ye others aforementioned with him Drew the Third Lott.

William Eldredge Jun

moderator for sd meeting.

A true Copy as on Record
Examined pr James Covell Cler.

Attest James Covell

Proprietors' Cler.

Copy examined pr

Jno Sturgis Clerk.

A True Copy Attest

Jno Sturgis Clerk."

was used as a harbor for vessels seeking to round the Cape and waiting for favoring winds. It was, however, a dangerous haven, in case of a sudden change of wind, and even before 1700 the indentation on the west side of the beach was known as Wreck Cove and had been the graveyard of more than one unchronicled voyager.²⁸ Hither about 1711 came William Eldredge, son of Robert, and built a house and opened a tavern for the entertainment of sailors making a harbor in the vicinity. He doubtless bought land there of Mr. Elisha Hedge and his associates, but the tradition is that he bought of Joseph Stewart, who was son of Hugh Stewart, one of the partners of Mr. Hedge. He lived here a number of years, selling out to Morris Farris, who in turn sold about 1725 to Joseph Stewart.²⁹ The latter maintained a tavern at this place for over twenty years and the locality near his house became known as Stewart's Knoll. A curve in the easterly shore of the beach in this vicinity became known as Stewart's Bend. The location of a house in this vicinity was, of course, a great boon to shipwrecked sailors. Doubtless, it was shipwreck or some such disaster which brought the widow Margaret Mitchell and her two sons to Mr. Stewart's house in 1729, where she died the following winter, leaving two orphan sons, Thomas and John, their father, Alexander Mitchell, having died on the passage over from Ireland. Mr. Ephraim Covell of Harwich became their guardian in March 1729-30, but Thomas

28. See petition for incorporation of Monomolt, page 176 supra.

29. "Joseph Severance testifieth & saith yt to ye best of my Remembrance about forty years ago yt William Eldredge built a house and went to Live upon ye Beach called Sandpoint alls Rack Cove and that I then understood yt William Eldredge had bought sd Beach of Joseph Stuert & yt some time after Morriss Farris bought sd Beach of Eldredge and about twenty-five years ago sd Joseph Stuert bought sd Beach & tenement againe and built a house there, but how long sd Stuert had Lived there before he built his house I Do not Remember, the house yt Joseph built is ye house yt has suffered Damage of Late, as I understand, and I Do not Remember there was any Dwelling house there before ye above mentioned housing and I am now about sixty-nine years of age. [Date of testimony, 1753.]

Mitchell, probably their uncle, appeared a few years later and took possession of the boys and their property.³⁰

There appears to have been no other attempt to settle on this beach in early times. It was used for pasturing horses, cattle, &c and also for mowing. In 1733 its use for pasturing was abandoned, and all the salt grass allowed to grow for mowing, as the following vote will show :

"At a meeting of the proprietors of the Great Beach Meadow and Sedge Ground called Monemoyt Beach on July 9th 1733 the said Proprietors votes that said Beach, meadows and Sedge Ground Shall be Kept and Preserved and orderly Improved by and for mowing and no other use and it is further voted by the said Proprietors that no Creatures, as neat Cattle, Horses, hogs and Sheep, shall be allowed to go at Large on any part of said Beach neither on the Southwesterly side of the New Harbour, so called, neither on the Northeasterly side of the said New Harbour, except Mr. Joseph Stuart for so long as he himself shall keep Entertainment at said Beach to be allowed to Keep two Cows and two Horses for his families support. Recorded by Theophilus Mayo Proprietor's Clerk. A true copy October 17 1748 Examined pr James Covell Proprietors clerk."³¹

There was another meeting of the proprietors of the beach on May 28, 1746, when a committee was chosen to lay out and divide that part of the beach not already laid out, some parts apparently not having been divided in the first division.³² Still other meetings were held up to and including 1756, between which time and 1783 there appears to have been no meeting.³³

30. "Aug 2nd 1733. Then received of Mr. Ephraim Covell of Harwich in the County of Barnstable yeoman two Boys named Thomas Michel and John Michel together with seventeen pounnds in goods that the sd Covell Received with said Boys at Sandy point so called in the Town of Chatham, sd seventeen pounnds being left by Alexander Michel who died in his passage from Ireland to sd Sandy point, sd seventeen pounnds being given to sd Thomas Michel and John Michel by their mother, widow to sd Alexander Michel aforesaid by her will approved by ye Judge of probate for the County of Barnstable aforesaid, I say, Received by me in full, as witness my hand. Thomas Mitchell." Barnstable Probate Records.

31. Files Superior Court of Judicature No. 64,639.

32. "At a meeting of the Proprietors of the Great Beach, Meadow and Sedge Ground in Chatham Leaguely Warned and attended at the Dwelling House of Mr. Richard Knowles in Chatham on Wednesday the 28th Day of May 1746 they made choice of Mr. Samuel Atkins to be Moderator for said Meeting. At the same meeting made choice of Lieut. Daniel Howes, Ensign Thomas Hamilton and Judah Mayo, for a committee for them of the Third called the old purchase; they also made choice of Mr. Samuel Smith, Mr. Jeremiah Eldredge, and Thomas Kenwrick for a committee for them of that Third called Harwich Purchase or the Royal Granters; they also made choice of Lieut. Richard Knowles, Mr. William Eldredge and Mr. Thomas Nickerson for a Committee for them of that Third called Nickersons and Covells Right, to Divide and Lay out that Part of said Beach, meadow & flats that is not already so don and Cast Lots for the same." * * * Files Superior Court of Judicature No. 63,273.

33. 1 Mass. Reports 159.

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